

P.C. RESOLUTION 20-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, RECOMMENDING THE CITY COUNCIL ADOPT A TEXT AMENDMENT TO TITLE 17, ENTITLED “ZONING” OF THE HERMOSA BEACH MUNICIPAL CODE TO ALLOW THE USE OF MECHANICAL VEHICLE LIFTS AS A METHOD TO PROVIDE REQUIRED PARKING, AND ADOPT THE PROPOSED DEFINITION OF “MECHANICAL VEHICLE LIFT”; AND DETERMINING THAT THE ACTION IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

The Planning Commission of the City of Hermosa Beach does hereby resolve, and order as follows:

SECTION 1. Although the Zoning Code does not prohibit the use of mechanical lifts, they cannot be utilized to meet minimum parking requirements. The City has received requests from property owners to allow vehicle lifts to be counted towards meeting minimum parking requirements.

SECTION 2. The Planning Commission has considered the proposed text amendment amending various sections of Title 17 entitled “Zoning” of the Hermosa Beach Municipal Code (HBMC) to allow the use of mechanical vehicle lifts (See Exhibit B).

SECTION 3. Applicable law requires the Planning Commission to notice and hold a public hearing on the amendment and, following such hearing, to render a decision in the form of a written recommendation to City Council pursuant to HBMC Section 17.66.100.

SECTION 4. The Planning Commission held a meeting on May 19, 2020 to consider the use of mechanical vehicle lifts to count towards parking minimums and approved P.C. Resolution 20-12 initiating the text amendment process. The Planning Commission held a meeting on August 18, 2020 to further discuss the text amendment options and directed staff to draft the proposed text amendment to be presented at the September 15, 2020 Planning Commission Meeting.

SECTION 5. The Planning Commission held a public hearing concerning the amendment on September 15, 2020. Notice was published and provided as required by law.

SECTION 6. The Planning Commission finds that the proposed amendment is consistent with the general objectives, principles, and standards of the General Plan (PLAN Hermosa).

SECTION 7. Modifications to the Zoning Code are considered a project under the California Environmental Quality Act (CEQA); however, the activity of recommending the text amendment to City Council is exempt pursuant to CEQA Guideline Section 15061(b)(3), which states that CEQA applies only to projects which have the potential for causing a significant effect

on the environment. The proposed text amendment serves to establish general standards for mechanical vehicle lifts. Individual projects that are subject to the zoning code would still require individual review for conformance with CEQA. Therefore, the proposed amendment is exempt from CEQA.

SECTION 8. The Planning Commission hereby recommends the City Council approve and adopt the proposed text amendment.

VOTE: AYES:
 NOES:
 ABSENT:
 ABSTAIN:

CERTIFICATION

I hereby certify the foregoing Resolution P.C. 20-XX is a true and complete record of the action taken by the Planning Commission of the City of Hermosa Beach, California, at their adjourned regular meeting of September 15, 2020.

Rob Saemann, Chair

Ken Robertson, Secretary

September 15, 2020

Date

Exhibits

- A. Draft Ordinance
- B. Proposed Text Amendment – Redlines
- C. Proposed Text Amendment - Clean

Exhibit A
ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
HERMOSA BEACH AMENDING SECTIONS 17.44.010 AND 17.44.210
AND ADDING SECTION 17.44.240 TO THE HERMOSA BEACH
MUNICIPAL CODE RELATING TO THE USE MECHANICAL VEHICLE
LIFTS TO COUNT TOWARDS THE PARKING MINIMUMS ON LOTS
EQUAL TO OR SMALLER THAN 2,100 SQUARE FEET AND WITH A
PARKING PLAN ON ALL OTHER SIZED LOTS AND TO SET
STANDARDS FOR THE USE OF MECHANICAL VEHICLE LIFTS.**

The City Council of the City of Hermosa Beach does ordain as follows:

Section 1. The Planning Commission held a duly noticed public hearing on September 15, 2020 to consider amending Municipal Code Sections 17.44.010 and 17.44.210 and adding Section 17.44.240 to the Hermosa Beach Municipal Code to allow the use of mechanical vehicle lifts to count towards the parking minimums on lots equal to or smaller than 2,100 square feet and with a parking plan on all other sized lots and to set standards for the use of mechanical vehicle lifts (TEXT 20-02).

Section 2. The City Council held a duly noticed public hearing on XX, XX, XXXX, not to exceed forty (40) calendar days following the Planning Commission's recommendation, to consider to consider amending Municipal Code Sections 17.44.010 and 17.44.210 and adding Section 17.44.240 to the Hermosa Beach Municipal Code to allow the use of mechanical vehicle lifts to count towards the parking minimums on lots equal to or smaller than 2,100 square feet and with a parking plan on all other sized lots and to set standards for the use of mechanical vehicle lifts (TEXT 20-02).

Section 3. Modifications to the Zoning Code are considered a project under the California Environmental Quality Act (CEQA); however, the activity of recommending the text amendment to City Council is exempt pursuant to CEQA Guideline Section 15061(b)(3), which states that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The proposed text amendment serves to establish general standards for mechanical vehicle lifts. Individual projects that are subject to the zoning code would still require individual review for conformance with CEQA. Therefore, the proposed amendment is exempt from CEQA.

Section 4. The City Council approves of the following amendments to the Hermosa Beach Municipal Code:

1. The alphabetical list of definitions in Section 17.44.010 of Chapter 17.44 of Title 17 of the Hermosa Beach Municipal Code is amended to read as follows:

“Mechanical vehicle lift” means a mechanical system that lifts or descends one vehicle to make space available to park a second vehicle in a vertical tandem fashion.

2. Subsections 17.44.210(B)(8)-(9) of Chapter 17.44 of Title 17 of the Hermosa Beach Municipal Code is amended to read as follows:

17.44.210 Parking Plans

A. A parking plan may be approved by the planning commission to allow for a reduction in the number of spaces required. The applicant shall provide the information necessary to show that adequate parking will be provided for customers, clients, visitors and employees or when located in a vehicle parking district, the applicant shall propose an in-lieu fee according to requirements of this chapter.

B. Factors such as the following shall be taken into consideration:

1. Van pools;
2. Bicycle and foot traffic;
3. Common parking facilities;
4. Varied work shifts;
5. Valet parking;
6. Unique features of the proposed uses;
7. Peak hours of the proposed use as compared with other uses sharing the same parking facilities especially in the case of small restaurants or snack shops in the downtown area or in multitenant buildings;
8. Mechanical Vehicle Lifts, not subject to HBMC Subsection 17.44.240(A)(2) and (3);
9. Other methods of reducing parking demand.

C. A covenant with the city a party thereto, may be required limiting the use of the property and/or designating the method by which the required parking will be provided at the time that the planning commission determines that inadequate parking exists.

D. Fees, application and processing procedures for parking plans shall set forth by resolution of the city council. (Ord. 94-1099 § 3, 1994; prior code Appx. A, § 1169)

3. Section 17.44.240 of Chapter 17.44 of Title 17 of the Hermosa Beach Municipal Code is to read as follows:

17.44.240 Mechanical vehicle lifts

A. Building Permit Required

1. A building permit is required for the installation of a mechanical vehicle lift system.
2. Mechanical vehicle lifts may be permitted to meet off-street parking spaces requirements in HBMC Section 17.44.020 (Off-street parking—Residential uses) on residential lots equal to or smaller than 2,100 square feet.
3. On residential lots greater than 2,100 square feet, mechanical vehicle lifts are permitted where the parking space(s) provided by the mechanical vehicle lift(s) is/are in excess of the minimum number of required parking spaces and are subject to requirements of this Section.

B. Parking Plan Required. On residential lots greater than 2,100 square feet and in all other zones, mechanical vehicle lifts are allowed to meet the off-street parking space requirements in HBMC Sections 17.44.020 and 17.44.030 with a Parking Plan, in compliance with HBMC Section 17.44.210 (Parking plan).

C. Screening. Mechanical vehicle lift shall be located only within a fully enclosed garage.

D. Vertical Clearance. A vehicle lift may only be used to store two (2) vehicles vertically where a minimum vertical height clearance from the garage floor to the garage ceiling plate or, in the case of a lift installed below the garage floor, from the below grade floor to the garage ceiling, is a minimum of twelve (12) feet clear of obstructions.

E. Safety

1. All equipment shall be listed and rated by a testing agency recognized by California (i.e. UL).
2. A mechanical vehicle lift shall be permitted only if it is operated with an automatic shutoff safety device and is installed in accordance with manufacturer specifications.
3. A mechanical vehicle lift shall be equipped with a key locking mechanism.
4. Mechanical vehicle lifts shall provide a manual override to access or remove vehicles from the vehicle lift in the event of a power outage.

F. Miscellaneous

1. Mechanical vehicle lifts shall not be utilized to meet required guest parking. Guest parking shall remain open and accessible at all times.
2. In buildings that are nonconforming to parking, where fewer parking spaces are provided than required by HBMC Sections 17.44.020 and 17.44.030, the number of at-grade parking spaces shall not be reduced.
3. Standards in HBMC Chapter 17.44 which are not specifically stated in and do not contradict this Section still apply.

Section 5. The City Council finds that the proposed amendment is consistent with the general objectives, principles, and standards of the General Plan

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2020.

PRESIDENT of the City Council and MAYOR of the City of Hermosa California

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Attorney

Exhibit B

Proposed Text Amendment – Redlines

The underlined text represents the modification to the zoning code.

17.44 010 Definition

As used in this chapter:

"Entrance-way" means an opening or passageway to a building or structure which permits pedestrian or vehicular access to such building or structure.

"Gross floor area" means the total area occupied by a building or structure, excepting therefrom only the area of any inner open courts, corridors, open balconies (except when utilized, e.g., restaurant seating or similar usage), and open stairways. Such total area shall be calculated by measuring along the outside dimensions of the exterior surfaces of such building or structure.

"Major city street" means all public rights-of-way designated in the circulation element of the general plan as a primary, or secondary arterials or as collectors.

"Mechanical vehicle lift" means a mechanical system that lifts or descends one vehicle to make space available to park a second vehicle in a vertical tandem fashion.

"Off-street parking" means parking upon private property as accessory to other permitted land uses, and shall not include publicly owned parking.

"Tandem parking" means one (1) automobile parked after or behind another in a lengthwise fashion. In this title, tandem parking is limited to not more than one (1) automobile behind another.

"Underground parking facilities" means a basement equipped, designed, used or intended to be used for parking automobiles. (Prior code Appx. A, § 1150)

17.44.210 Parking Plans

A. A parking plan may be approved by the planning commission to allow for a reduction in the number of spaces required. The applicant shall provide the information necessary to show that adequate parking will be provided for customers, clients, visitors and employees or when located

in a vehicle parking district, the applicant shall propose an in-lieu fee according to requirements of this chapter.

B. Factors such as the following shall be taken into consideration:

1. Van pools;
2. Bicycle and foot traffic;
3. Common parking facilities;
4. Varied work shifts;
5. Valet parking;
6. Unique features of the proposed uses;
7. Peak hours of the proposed use as compared with other uses sharing the same parking facilities especially in the case of small restaurants or snack shops in the downtown area or in multitenant buildings;
8. Mechanical Vehicle Lifts, not subject to HBMC Subsection 17.44.240(A)(2) and (3);
9. Other methods of reducing parking demand.

C. A covenant with the city a party thereto, may be required limiting the use of the property and/or designating the method by which the required parking will be provided at the time that the planning commission determines that inadequate parking exists.

D. Fees, application and processing procedures for parking plans shall set forth by resolution of the city council. (Ord. 94-1099 § 3, 1994; prior code Appx. A, § 1169)

17.44.240 Mechanical vehicle lifts

A. Building Permit Required

1. A building permit is required for the installation of a mechanical vehicle lift system.
2. Mechanical vehicle lifts may be permitted to meet off-street parking spaces requirements in HBMC Section 17.44.020 (Off-street parking—Residential uses) on residential lots equal to or smaller than 2,100 square feet.

3. On residential lots greater than 2,100 square feet, mechanical vehicle lifts are permitted where the parking space(s) provided by the mechanical vehicle lift(s) is/are in excess of the minimum number of required parking spaces and are subject to requirements of this Section.
- B. **Parking Plan Required.** On residential lots greater than 2,100 square feet and in all other zones, mechanical vehicle lifts are allowed to meet the off-street parking space requirements in HBMC Sections 17.44.020 and 17.44.030 with a Parking Plan, in compliance with HBMC Section 17.44.210 (Parking plan).
- C. **Screening.** Mechanical vehicle lift shall be located only within a fully enclosed garage.
- D. **Vertical Clearance.** A vehicle lift may only be used to store two (2) vehicles vertically where a minimum vertical height clearance from the garage floor to the garage ceiling plate or, in the case of a lift installed below the garage floor, from the below grade floor to the garage ceiling, is a minimum of twelve (12) feet clear of obstructions.
- E. **Safety**
 1. All equipment shall be listed and rated by a testing agency recognized by California (i.e. UL).
 2. A mechanical vehicle lift shall be permitted only if it is operated with an automatic shutoff safety device and is installed in accordance with manufacturer specifications.
 3. A mechanical vehicle lift shall be equipped with a key locking mechanism.
 4. Mechanical vehicle lifts shall provide a manual override to access or remove vehicles from the vehicle lift in the event of a power outage.
- F. **Miscellaneous**
 1. Mechanical vehicle lifts shall not be utilized to meet required guest parking. Guest parking shall remain open and accessible at all times.
 2. In buildings that are nonconforming to parking, where fewer parking spaces are provided than required by HBMC Sections 17.44.020 and 17.44.030, the number of at-grade parking spaces shall not be reduced.
 3. Standards in HBMC Chapter 17.44 which are not specifically stated in and do not contradict this Section still apply.

Exhibit C
Proposed Text Amendment – Clean

17.44 010 Definition

As used in this chapter:

"Entrance-way" means an opening or passageway to a building or structure which permits pedestrian or vehicular access to such building or structure.

"Gross floor area" means the total area occupied by a building or structure, excepting therefrom only the area of any inner open courts, corridors, open balconies (except when utilized, e.g., restaurant seating or similar usage), and open stairways. Such total area shall be calculated by measuring along the outside dimensions of the exterior surfaces of such building or structure.

"Major city street" means all public rights-of-way designated in the circulation element of the general plan as a primary, or secondary arterials or as collectors.

"Mechanical vehicle lift" means a mechanical system that lifts or descends one vehicle to make space available to park a second vehicle in a vertical tandem fashion.

"Off-street parking" means parking upon private property as accessory to other permitted land uses, and shall not include publicly owned parking.

"Tandem parking" means one (1) automobile parked after or behind another in a lengthwise fashion. In this title, tandem parking is limited to not more than one (1) automobile behind another.

"Underground parking facilities" means a basement equipped, designed, used or intended to be used for parking automobiles. (Prior code Appx. A, § 1150)

17.44.210 Parking Plans

A. A parking plan may be approved by the planning commission to allow for a reduction in the number of spaces required. The applicant shall provide the information necessary to show that adequate parking will be provided for customers, clients, visitors and employees or when located in a vehicle parking district, the applicant shall propose an in-lieu fee according to requirements of this chapter.

B. Factors such as the following shall be taken into consideration:

1. Van pools;
2. Bicycle and foot traffic;
3. Common parking facilities;
4. Varied work shifts;
5. Valet parking;
6. Unique features of the proposed uses;
7. Peak hours of the proposed use as compared with other uses sharing the same parking facilities especially in the case of small restaurants or snack shops in the downtown area or in multitenant buildings;
8. Mechanical Vehicle Lifts, not subject to HBMC Subsection 17.44.240(A)(2) and (3);
9. Other methods of reducing parking demand.

C. A covenant with the city a party thereto, may be required limiting the use of the property and/or designating the method by which the required parking will be provided at the time that the planning commission determines that inadequate parking exists.

D. Fees, application and processing procedures for parking plans shall set forth by resolution of the city council. (Ord. 94-1099 § 3, 1994; prior code Appx. A, § 1169)

17.44.240 Mechanical vehicle lifts

A. Building Permit Required

1. A building permit is required for the installation of a mechanical vehicle lift system.
2. Mechanical vehicle lifts may be permitted to meet off-street parking spaces requirements in HBMC Section 17.44.020 (Off-street parking—Residential uses) on residential lots equal to or smaller than 2,100 square feet.

3. On residential lots greater than 2,100 square feet, mechanical vehicle lifts are permitted where the parking space(s) provided by the mechanical vehicle lift(s) is/are in excess of the minimum number of required parking spaces and are subject to requirements of this Section.
- B. Parking Plan Required.** On residential lots greater than 2,100 square feet and in all other zones, mechanical vehicle lifts are allowed to meet the off-street parking space requirements in HBMC Sections 17.44.020 and 17.44.030 with a Parking Plan, in compliance with HBMC Section 17.44.210 (Parking plan).
- C. Screening.** Mechanical vehicle lift shall be located only within a fully enclosed garage.
- D. Vertical Clearance.** A vehicle lift may only be used to store two (2) vehicles vertically where a minimum vertical height clearance from the garage floor to the garage ceiling plate or, in the case of a lift installed below the garage floor, from the below grade floor to the garage ceiling, is a minimum of twelve (12) feet clear of obstructions.
- E. Safety**
1. All equipment shall be listed and rated by a testing agency recognized by California (i.e. UL).
 2. A mechanical vehicle lift shall be permitted only if it is operated with an automatic shutoff safety device and is installed in accordance with manufacturer specifications.
 3. A mechanical vehicle lift shall be equipped with a key locking mechanism.
 4. Mechanical vehicle lifts shall provide a manual override to access or remove vehicles from the vehicle lift in the event of a power outage.
- F. Miscellaneous**
1. Mechanical vehicle lifts shall not be utilized to meet required guest parking. Guest parking shall remain open and accessible at all times.
 2. In buildings that are nonconforming to parking, where fewer parking spaces are provided than required by HBMC Sections 17.44.020 and 17.44.030, the number of at-grade parking spaces shall not be reduced.
 3. Standards in HBMC Chapter 17.44 which are not specifically stated in and do not contradict this Section still apply.