

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
HERMOSA BEACH AMENDING CHAPTER 17.44, “OFF-STREET
PARKING” OF THE HERMOSA BEACH MUNICIPAL CODE TO
ALLOW PARKING PROVIDED WITH MECHANICAL VEHICLE LIFTS
TO COUNT TOWARDS THE REQUIRED NUMBER OF PARKING
SPACES AND TO SET STANDARDS FOR THE PERMITTING AND 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 October 20, 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 November 10, 2020, not to exceed forty (40) calendar days following the Planning Commission’s recommendation, to introduce the first reading of a draft ordinance to consider amending chapter 17.44, “off-street parking” of the Hermosa Beach Municipal Code to allow parking provided with mechanical vehicle lifts to count towards the required number of parking spaces and to set standards for the permitting and use of mechanical vehicle lifts.

Section 3. The project is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060(c)(2), because the project will not result in a direct or reasonably foreseeable indirect physical change in the environment. In addition, the project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) which states that CEQA applies only to projects which have a potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The zone text amendment changes are not subject to CEQA and in addition to, the project would be categorically exempt as the project is procedural in nature and there is no possibility that the activity in question may have a significant effect on the environment.

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 review and approval of a Parking Plan, in accordance 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 mechanical 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 mechanical 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 text 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