



Planning Commission Agenda Statement

Meeting Date: October 24, 2024

Agenda Heading: New Business

Item Number: I.1

TITLE:

Zoning Code Interpretation Determining How to Apply Certain Parking Area Development Standards in ESMC Section 15-15-5 to Mixed-Use Projects with Residential in Various Commercial Zones.

Case numbers: Environmental Assessment No. EA 1373 and Administrative Determination No. AD 24-01

RECOMMENDATION:

Receive and file Zoning Code Interpretation (AD 24-01)

DISCUSSION:

On October 17, 2024, pursuant to El Segundo Municipal Code (ESMC) Chapter 15-22 (Administrative Determinations), the Community Development Director made a zoning code interpretation that mixed-use developments with a residential component are similar to nonresidential uses relative to application of ESMC Section 15-15-5 Parking Area Development Standards. The attached zoning code interpretation provides a detailed description and the reasoning for the Director's interpretation.

In summary, the City has various commercial zoning designations and specific plans that facilitate construction of housing in a mixed-use configuration. ESMC Section 15-15-5 does not list mixed-use developments as a use subject to the parking area development standards. In accordance with Section 15-22-2, the Director determined that mixed-use developments are similar to non-residential uses and must comply with nonresidential development standards stipulated in ESMC Section 15-15-5 for:

- Parking Space Location
- Parking Space Dimensions
- Compact Spaces
- Tandem Spaces
- Driveway and Curb Cut Width
- Parking Structure Standards
- Special Residential Parking Provisions
- Vehicle Lifts

Parking Area Standards for Mixed-Use Developments

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This simplifies review, provides consistent standards, allows more design flexibility, and results in more efficient use of space in mixed-use developments. This determination would be applicable to mixed-use developments in the C-2, the Mixed-Use Overlay Zone, the Pacific Coast Commons Specific Plan, and the Downtown Specific Plan Area.

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REVIEWED BY: Eduardo Schonborn, AICP, Planning Manager

APPROVED BY: Michael Allen, AICP, Community Development Director

ATTACHED SUPPORTING DOCUMENTS:

Zoning Code Interpretation (AD 24-01)

ZONING CODE DETERMINATION AND INTERPRETATION

TO: Planning Division Staff

FROM: Eduardo Schonborn, AICP, Planning Manager

DATE: October 17, 2024

SUBJECT: Parking Area Development Standards for Mixed-Use Developments with Residential uses (AD 24-01)

APPROVED: _____

Michael, Allen, AICP, Community Development Director

Code Section in Question

ESMC Section 15-15-5 (Parking Area Development Standards) contains certain standards that are different for specific uses, such as residential, retail, office, industrial, etc. Those standards and subsections are listed below:

- D. Parking Space Location
- H. Parking Space Dimensions
- I. Compact Spaces
- J. Tandem Spaces
- N. Driveway and Curb Cut Width
- Q. Parking Structure Standards
- R. Special Residential Parking Provisions
- S. Vehicle Lifts

Mixed-use developments (especially those with a residential component) are not clearly addressed in the above subsections.

Mixed Use

The Municipal Code does not have a definition for what constitutes “Mixed-Use.” However, the Downtown Specific Plan (DSP) defines mixed-use projects as those projects that “combine commercial, office, and/or residential uses into one single development. The uses can be combined in multiple ways, such as each use located on a separate floor or wing of a building or each use in separate buildings on the site.” Of particular concern are mixed-use developments that include residential uses.

Discussion

The City recently adopted zoning regulations that permit mixed-use developments in the Mixed-Use Overlay (MU-O) Zone, the Pacific Coast Commons Specific Plan (PCCSP) and the Downtown Specific Plan (DSP). The MU-O, PCCSP, and DSP refer to ESMC Section 15-15-5 for regulating parking area site design. However, ESMC Section 15-15-5 standards do not address mixed-use developments, especially those that combine residential with nonresidential uses and share a common parking area. Instead, there are separate standards for residential and individual nonresidential uses. As a result, certain standards conflict with each other and render the parking area design complicated and challenging.

The following discussion lists the conflicting or unclear standards and describes the potential design challenges:

- ESMC 15-15-5(D) – Parking Space Location

Issue(s): Subsection 15-15-5(D)(1) requires residential spaces to be located inside a garage or carport, something not required for nonresidential spaces. This requirement is challenging for mixed-use developments, particularly on smaller properties, because it requires the construction of a separate parking structure or carport for residential parking spaces within the same parking facility. This subsection also prohibits residential guest parking spaces in the required front or front two-thirds of a required side building setback. Conversely, subsection 15-15-5(D)(2) permits nonresidential parking spaces to encroach into the required front and side setbacks. As a result, in a mixed-use development with a common parking facility, two inconsistent setback requirements would apply to the same facility.

Conclusion(s): Therefore, to simplify and provide consistent standards, mixed-use developments shall be considered non-residential uses, which eliminates the requirement of enclosed parking inside a garage or carport for the residential component of those developments. In addition, the same setback encroachments allowed for nonresidential uses shall also be allowed for mixed-use developments, including the residential component (as provided by subsection 15-15-5(D)(2)).

- ESMC 15-15-5(H) – Parking Space Dimensions

Issue(s): This subsection establishes minimum parking dimensions of 9 feet by 20 feet for residential and 8.5 feet by 18 feet for commercial spaces. The difference in minimum dimensions complicates the design of the parking area and results in irregular or unnecessarily wide drive aisles in the parking facility.

Conclusion(s): Therefore, to simplify and provide consistent standards, mixed-use developments shall be considered non-residential (commercial) uses, which eliminates the requirement for larger parking space dimensions for the residential component of those developments. As a result, all required standard parking spaces for mixed-use developments shall have minimum dimensions of 8.5 feet by 18 feet.

ESMC 15-15-5(I) – Compact Spaces

Issue(s): This subsection prohibits compact parking spaces for residential and retail commercial uses but allows them for up to 20 percent of the required spaces for office, industrial, hotel, and recreational uses. In a mixed-use development, this restriction inhibits the sharing of parking spaces between uses and results in a less efficient parking design.

Conclusion(s): Therefore, to simplify and provide consistent standards, mixed-use developments shall be considered similar to non-residential office uses and will be permitted to provide compact spaces for up to 20 percent of the required spaces for the entire mixed-use development (whether residential or nonresidential). Consequently, there will be more flexibility in the design of parking areas for those mixed-use developments with a residential component.

- ESMC 15-15-5(J) – Tandem Spaces

Issue(s): This subsection prohibits tandem spaces for multi-family residential, retail, and restaurant uses, but allows them for single-family and two-family residential for 100 percent of required spaces, office, and industrial uses for up to 20 percent of the required spaces. This section unnecessarily restricts the design options for residential parking in a mixed-use development and results in less efficient use of space.

Conclusion(s): Therefore, to simplify and provide consistent standards, mixed-use developments shall be considered similar to non-residential uses, and shall be permitted to use tandem parking spaces for up to 20 percent of the required spaces for the entire mixed-use development (whether residential or nonresidential). Further, the tandem spaces permitted in mixed-use developments shall be subject to the limitations in ESMC §§ 15-15-5(J), including that they may store up to two vehicles horizontally. Consequently, there will be more flexibility in the design of parking areas for those mixed-use developments with a residential component.

- ESMC 15-15-5(N) - Driveway and Curb Cut Width

Issue(s): This subsection establishes regulations for the width and location of driveways and curb cuts based on whether the property zone (not the use) is residential or commercial. The subsection does not clearly address how to regulate the MU-O, PCCSP, and DSP, which permit a mix of residential and nonresidential uses.

Conclusion(s): Therefore, to simplify and provide consistent standards, mixed-use developments shall be considered non-residential uses and zoning districts that permit mixed-use developments shall be considered non-residential (commercial) zoning districts. Consequently, mixed-use developments in the MU-O, PCCSP, and DSP shall be subject to the non-residential standards for driveway and curb cut width and location.

- ESMC 15-15-5(Q) – Parking Structure Standards

Issue(s): This subsection establishes setback for parking structures that are fully or partly subterranean. The setbacks differ based on whether the property zone (not the use) is residential or commercial. Therefore, the subsection is unclear how to apply the regulations in the MU-O, PCCSP, and DSP, which permit both residential and nonresidential uses.

Conclusion(s): Therefore, to simplify and provide consistent standards, mixed-use developments shall be considered a non-residential use and zoning districts that permit mixed-use developments shall be considered non-residential (commercial) zoning districts. Consequently, mixed-use developments in the MU-O, PCCSP, and DSP shall be subject to the non-residential setback standards for parking structures.

- ESMC 15-15-5(R) – Special Residential Parking Provisions

Issue(s): This subsection requires single, two-family, and multiple-family residential uses to have covered and enclosed garages or carports and sets minimum and maximum width requirements for garage openings. These requirements do not apply to nonresidential uses. In mixed-use developments, the application of two different standards for the residential and commercial portions would create a substantial site design challenge where a separate garage structure would be required for residential uses, while the commercial uses could be served by open parking. The additional cost and design would inhibit mixed-use developments, particularly on smaller MU-O properties and in the DSP where smaller lot sizes already constrain construction.

Conclusion(s): Therefore, to simplify and provide consistent standards, mixed-use developments shall be considered non-residential (commercial) uses, which eliminates the requirement to have covered and enclosed parking spaces for the residential component of those developments. As a result, all required parking spaces for mixed-use developments may be open and unenclosed.

- ESMC 15-15-5(S) – Vehicle Lifts

Issue(s): This subsection establishes regulations for the location and design of vehicle lifts in the Single-Family Residential (R-1), Two-Family Residential (R-2), and nonresidential zones. The regulations differ based on whether the property zone (not the use) is residential or commercial. The subsection is unclear how to regulate the MU-O, PCCSP, and DSP, which permit both residential and nonresidential uses.

Conclusion(s): Therefore, to simplify and provide consistent standards, mixed-use developments shall be considered a non-residential use and zoning districts that permit mixed-use developments shall be considered non-residential (commercial) zoning districts. Further, the vehicle lifts permitted in mixed-use developments shall be subject to the limitations in ESMC §§ 15-15-5(S), including that they may store up to two vehicles vertically. Consequently, mixed-use developments in the MU-O, PCCSP, and DSP shall be subject to the non-residential standards for vehicle lifts.

Interpretation/Determination

The intent of the MU-O, PCCSP, and the DSP is to facilitate construction of housing in a mixed-use configuration and to treat the residential and commercial portions of mixed-use developments consistently. ESMC Section 15-22-2 allows administrative determinations when a use is not specifically listed as either a permitted use or conditionally permitted use in a particular zone. ESMC Section 15-15-5 does not list mixed-use developments as a use subject to the parking area development standards.

Therefore, in accordance with Section 15-22-2, the Director determined that mixed-use developments are similar to a non-residential use and must comply with the nonresidential development standards stipulated in ESMC Section 15-15-5 as described above.

For the purposes of ESMC subsections 15-15-5(I) (Compact Spaces) and 15-15-5(J) (Tandem Spaces) that specify standards for individual nonresidential uses, such as office, retail, restaurant, hotel, recreational, industrial, the Director determined that the residential component of mixed-use developments is most similar to office uses and must comply with the standards applicable to office uses. The Director has made this determination, because residential uses in a mixed-use development a) benefit equally from the use of compact spaces and b) have less frequent turnover, which is more similar to office uses and can therefore make use of tandem spaces without negative operational impacts. Therefore, permitting compact and tandem spaces in mixed use developments containing residential uses is appropriate.