



# City of Orange

## Legislation Text

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**TO:** Chair and Members of the Planning Commission

**THRU:** Anna Pehoushek, Assistant Community Development Director

**FROM:** Chad Ortlieb, Senior Planner

### 1. SUBJECT

**Public Hearing:** Comprehensive Citywide Parking Code Update and Related Administrative Revisions

### 2. SUMMARY

The City of Orange has prepared a comprehensive update of parking rates and standards for non-residential uses to reflect practical and appropriate parking requirements for non-residential uses and single-family residences for the City of Orange, thereby supporting economic development and quality site planning.

### 3. RECOMMENDED ACTION

Adopt Planning Commission Resolution No. PC 16-21 entitled:

A Resolution of the Planning Commission of the City of Orange recommending that the City Council adopt an ordinance amending Title 17 of the Orange Municipal Code (Zoning Code) to add definitions, update code references, and amend Chapter 17.34 relating to off-street parking and loading.

### 4. AUTHORIZING GUIDELINES

Orange Municipal Code (OMC) Section 17.10.020 establishes procedures by which the Planning Commission reviews ordinance amendments and makes recommendations to the City Council.

### 5. PROJECT BACKGROUND

The City's off-street parking and loading requirements were last updated comprehensively in 1995 in conjunction with a general update to the Zoning Ordinance under Ordinance No. 12-95. In addition, a targeted update, not addressing commercial parking standards, was completed in 2008. Hence, the City's parking ratios have generally remained the same since the advent of the internet. Business practices and parking behaviors have evolved over the years and many of the City's parking ratios have become antiquated and stifled economic development and property reinvestment. Parking generation rates have generally declined for most land uses and some new rates are merited for uses previously not contemplated. In response, the City has drafted an update to its Parking Code. The update is intended to retain and attract new businesses to Orange, and support property owner reinvestment by providing "right-sized" and practical standards.

Furthermore, current parking standards and on-site circulation often constrain site planning and

design, causing the City to find itself in a dilemma of Code requirements inhibiting property reinvestment or redevelopment. In many instances the refreshed parking standards will provide greater flexibility for better accommodating City-required water quality site features to comply with regional environmental requirements. The new standards will also allow for better integration of required landscaping to achieve an attractive property frontage along major arterials as well as meaningful buffering between commercial uses and abutting residential neighborhoods, resulting in a mutual benefit to property owners, the City, and community at large.

## 6. PROJECT DESCRIPTION

The City's proposed parking code update is comprehensive in reassessing parking ratios with the exception of multi-family housing parking. Parking for multi-family housing was the subject of its own Code amendment in 2018 (Ordinance No. 06-17). Proposed parking rates are based on solicited feedback from focused stakeholder meetings with key commercial property representatives and real estate brokers followed by consultant-assisted analysis which evaluated:

- Parking rates of comparison cities
- Transportation engineer industry standards for land uses
- The observed actual parking demand for land uses in commercial and industrial centers in separate locations of the City

Using the findings and recommendations of the parking consultant, subsequent analysis by staff has honed the parking rates to those appropriate for the City of Orange so that a reality-based set of standards will be in place to accommodate changes in building tenancy, as well as property improvements and reinvestment that would otherwise be impeded under current parking requirements. The ordinance also implements parking policy refinements.

### **Parking Rates**

Notable achievements of the ordinance include:

- Retail parking rates decrease from five to four spaces per 1,000 square feet.
- General office parking rates decrease from four to three spaces per 1,000 square feet.
- Restaurant parking rates are restructured based on differing parking generation intensities derived from the operational characteristics of different categories of restaurants, resulting in several rate reductions.
  - No parking ratio changes are proposed for stand-alone restaurants or for cumulative restaurant space in excess of 30% of a shopping center.
  - Significant parking reductions are proposed for restaurants with the following operating conditions:
    - Counter service only
    - Cumulative restaurant area less than 30% of a shopping center
    - 20 or fewer seats
    - Outdoor seating

- Drive-thru operations
- Commercial center parking rates are simplified and reduced.
- Rates for the various types of car washes are established based on stacking intensity.
- Rates for uses in the Master Land Use Matrix but not included in the parking code are added, especially those uses frequently applying for business licenses.
- Medical office parking rates remain unchanged at five parking spaces per 1,000 square feet.
- Manufacturing, processing, distribution, and wholesale parking remains unchanged at two parking spaces per 1,000 square feet.

### **Policy Refinements**

- Expands creative parking management techniques such as allowing for tandem parking for some uses, thereby providing for efficient location of parking spaces.
- Extends Community Development Director (CDD) authority to approve minor deviations from required non-residential parking requirements.
- Allows for a Parking Demand Survey to justify an alternate parking rate, some per the CDD and others per the Planning Commission.
- Right-sizes loading zone spaces and provides timing considerations for loading zone placement in parking spaces based on delivery times.

Detailed information about the parking code changes is presented in the attached Proposed Comprehensive Parking Code Update Summary (Attachment 2).

## **7. ANALYSIS AND STATEMENT OF THE ISSUES**

The parking code update is based on thorough analysis with customized rates for the City of Orange, resulting in appropriate parking rates that meet modern-day parking demands and adequately park individual land uses. Overall, parking rates have been reduced which is anticipated to promote economic development, better accommodate compliance with regional water quality requirements, and achieve quality site planning. Hence, no negative issues are identified for the parking code update.

## **8. PUBLIC NOTICE**

On July 7, 2021, the City published a Public Hearing Notice in the Anaheim Bulletin newspaper. Persons specifically requesting notice were also provided the notice via mail or email.

## **9. ENVIRONMENTAL REVIEW**

### **Exemption**

1. The proposed Ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15060(c)(2) and 15060(c)(3) because review and evaluation of the potential impact of the Ordinance demonstrate that it involves only a modification to a citywide development standard related to required parking. It does not involve a specific site, development project, or focused geographic area, does not change

permitted land use or density and will not result in a direct or reasonably foreseeable indirect physical change in the environment. Adoption of the Ordinance is therefore not a “project” as defined in Guideline 15378.

2. The proposed Ordinance is exempt from CEQA per Guideline 15061(b)(3) because it can be seen with certainty, after review and evaluation of the facts regarding parking standards in the City of Orange, that there is substantial evidence that adoption of this Ordinance would not have a significant effect on the environment and the common sense exemption applies.
3. In the unlikely event the Ordinance would constitute a project under CEQA, it is categorically exempt from the provisions of CEQA per Guideline 15321(a) (Class 21, Enforcement Actions by Regulatory Agencies) because the Ordinance is an action taken by the City as a regulatory agency and involves “enforcement of a law, general rule, standard, or objective, administered or adopted by the regulatory agency.”
4. Finally, parking is not considered an impact to the environment under CEQA. Based on all of the above, nothing further is warranted or required to comply with CEQA. There is no public review required for an exemption.

## **10. ADVISORY BOARD ACTION**

No advisory board review or recommendation was required for this code update.

## **11. ATTACHMENTS**

- Attachment 1 Planning Commission Resolution No. PC 16-21 Including the Recommended Parking Ordinance Update
- Attachment 2 Proposed Comprehensive Parking Ordinance Update Summary
- Attachment 3 IBI Group Recommended Parking Zoning Standards Update Analysis