

ORDINANCE NO. 4313

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH
AMENDING CHAPTER 231 OFF-STREET PARKING AND LOADING PROVISIONS OF
THE HUNTINGTON BEACH ZONING AND SUBDIVISION ORDINANCE
(ZONING TEXT AMENDMENT NO. 23-002)

WHEREAS, pursuant to the California State Planning and Zoning Law, the Huntington Beach Planning Commission and Huntington Beach City Council have held separate, duly noticed public hearings to consider Zoning Text Amendment No. 23-002, which amends Chapter 231 of the Huntington Beach Zoning and Subdivision Ordinance

After due consideration of the findings and recommendations of the Planning Commission and all other evidence presented, the City Council finds that the aforesaid amendment is proper and consistent with the General Plan;

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. That Chapter 231 of the Huntington Beach Zoning Code is hereby amended to read as follows:

231.02 Basic Requirements for Off-Street Parking and Loading

A. **When Required.** At the time of initial occupancy of a site, construction of a structure, or major alteration or enlargement of a site or structure, off-street parking facilities and off-street loading facilities shall be provided in accord with this chapter and parking area landscaping shall be provided in accord with Chapter 232. For the purposes of these requirements, “major alteration or enlargement” shall mean a change of use, an expansion of greater than 50% of the existing space in a non-residential building or an addition of bedrooms or units in a residential building. A change in occupancy that does not involve a change in the use classification is not considered a change in use for purposes of this requirement unless the change in occupancy involves an intensification of use or an increase in parking demand.

B. **Nonconforming Parking or Loading.** No existing use of land or structure shall be deemed to be nonconforming solely because of the lack of off-street parking or loading facilities required by this chapter, provided that facilities being used for off-street parking and loading as of the date of adoption of this chapter shall not be reduced in number to less than that required by this chapter. Expansion of a use with nonconforming parking shall be subject to the following requirements:

1. A multifamily residential use with nonconforming parking may be expanded by adding bedrooms or additional units provided that the expansion complies with current standards contained in this chapter;

2. A single-family residence with nonconforming parking may be expanded by adding bedrooms provided the dwelling complies with current standards contained in this chapter; and

3. A nonresidential use with nonconforming parking may be expanded less than 50% of the existing square footage or intensified if additional parking is provided for the expansion or intensification. Expansions of 50% or more of the existing square footage require the site to be in total compliance with the current parking standards contained in this chapter.

C. Spaces Required for Alteration or Enlargement. The number of parking spaces or loading spaces required for an alteration or enlargement of an existing use or structure, or for a change of occupancy, shall be in addition to the number of spaces existing prior to the alteration, enlargement, or change of occupancy unless the preexisting number is greater than the number prescribed in this chapter. In this case, the number of spaces in excess of the prescribed minimum shall be counted in determining the required number of parking or loading spaces.

D. Spaces Required for Multiple Uses. If more than one use is located on a site, the number of off-street parking spaces and loading spaces to be provided shall be equal to the sum of the requirements prescribed for each use. This requirement applies not only to multiple uses under separate ownership but also to multiple uses in the same ownership. If the gross floor area of individual uses on the same site is less than that for which a loading space would be required by Section 231.06(A), but the aggregate gross floor area of all uses is greater than the minimum for which loading spaces would be required, the aggregate gross floor area shall be used in determining the required number of loading spaces.

E. Location and Ownership. Parking facilities required by this chapter shall be on the same site as the use served, except that an adjacent lot may be used which is in the same person's possession as the structure or use. Such possession may be by deed or long-term lease, approved as to form by the City Attorney, and recorded in the Office of the County Recorder. A copy of the recorded document stipulating the reservation of the property for parking purposes shall be filed with the City prior to issuance of a building permit and/or certificate of occupancy, whichever occurs first. No use shall be continued if the parking is removed from the adjacent lot unless substitute parking is provided. Parking facilities provided by a parking district or parking authority are not subject to these locational requirements.

1. **Parking in Yards in R Districts.** The parking of motor vehicles, trailers, campers and boats shall be prohibited on all landscaped areas within the front one-half of the lot except as provided below.

a. Oversized vehicles (see Chapter 203, Definitions), campers, trailers and boats on trailers may be parked on the paved driveway area or on a paved area between the driveway and the nearest side property line provided that they do not project over any property line and that the area is kept free of trash, debris and parts.

b. Commercial oversized vehicles (see Chapter 203, Definitions) or special purpose machines shall be prohibited in any yard area.

2. Parking in Yards in C or I Districts. Required yards may be used for required parking, subject to the landscaping standards of Chapter 232.

3. Access. When a lot abuts an arterial highway and a local street, access to on-site parking shall be from the local street. When a lot abuts an alley, then access to parking shall be provided from the alley unless the Planning Commission approves a different access. When a lot abuts two arterial highways or two local streets, access shall be subject to the approval of the Director of Public Works.

4. Nonresidential Parking in R Districts. Nonresidential parking serving adjacent commercial or industrial uses shall not be located in any R-zoned property.

F. **Computation of Spaces Required.** If, in the application of the requirements of this chapter, a fractional number is obtained, one additional parking space or loading space shall be required.

G. **Space Efficient Parking.** Space is parking in which vehicles are stored and accessed by mechanical stackers or lifts. Parking spaces may be space efficient as described below.

1. Applicability. Space efficient parking may be used in single family residential, commercial, and industrial developments subject to the requirements of this section. Except as otherwise specified in a specific plan, the following standards shall apply.

2. Mechanical Parking Systems

- a. Single Family Residential – Surplus parking may be stored and accessed by mechanical stackers/lifts. These projects are exempt from Conditional Use Permit and attendant requirements.
- b. Commercial/Industrial - Up to 20% of the required on-site parking may be provided by mechanical stackers/lifts with an attendant upon approval of a Conditional Use Permit by the Zoning Administrator. 21%-40% of the required on-site parking may be provided by mechanical stackers/lifts with an attendant upon approval of a Conditional Use Permit by the Planning Commission. The request shall include information about the proposed parking operations and other information determined to be necessary.
- c. Mechanical stacker/lift parking systems shall not result in queuing into any public right-of-way. The applicant shall prepare a technical study comparing expected traffic-intensity with parking system capacity to determine the amount of short-term parking needed, if any, to mitigate the potential impacts from users seeking short-term parking. At minimum, the study shall address peak parking demand, the number of vehicles entering and exiting the facility, the cycle time of the parking system, how the system is accessed, queuing space, the number of attendants available, and the amount of short-term parking spaces available.

- d. Mechanical Parking Design. All mechanical parking shall be enclosed. In commercial and industrial developments, they shall be designed to be consistent with Section 231.18.G, Parking Structures and the following standards.
 - i. Screening. Except for required ingress and egress, mechanical parking systems shall be screened on all sides and shall be fully enclosed.
 - ii. Height. No more than one vehicle may be stacked over another parked vehicle.
 - iii. Design Review. Except for single family residential, mechanical parking systems, including enclosures, shall be subject to Design Review. The enclosure for any mechanical parking system shall be compatible in design with the principal building on the subject parcel.
 - iv. Noise Attenuation. All equipment shall be sound attenuated to comply with the noise standards in Chapter 8.40 Noise Control of the Huntington Beach Municipal Code. If the power generating equipment cannot be isolated from the mechanical system, full enclosure of the mechanical parking systems and parked vehicles shall be required.
 - e. Signage. Parking spaces shall have signage clarifying operations of the spaces to users.

3. Operations.

- a. Covenant for Operation. A "Covenant and Agreement Regarding Maintenance of Mechanical Parking System" shall be recorded with the Orange County Clerk Recorder's office to ensure the vehicle parking system is maintained in operable condition at all times. The covenant shall be recorded prior to final building inspection.
- b. Generator. Mechanical stackers or lifts shall be equipped with an on-site generator with sufficient capacity to store and retrieve cars if or when the electrical power is down.
- c. Manual Override. Mechanical stacker or lifts shall provide manual override capability to access or remove cars from the parking lift in the event of a power outage.
- d. Covenant for Attendant. A "Covenant and Agreement to Provide Parking Attendant" shall be recorded with the Orange County Recorder's office when a parking attendant is required. The covenant shall be recorded prior to final building inspection.

H. Other Requirements.

- 1. Any off-street parking or loading facility which is permitted but not required shall comply with all provisions of this chapter governing location, design, improvement and operation.

2. Any motor vehicle incapable of movement by its own power and/or not licensed to operate on California streets shall be stored either in an enclosed building or entirely screened from view.

SECTION 2. This ordinance shall become effective immediately 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the ____ day of _____, 2024.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



City Attorney

REVIEWED AND APPROVED:

City Manager

INITIATED AND APPROVED:



Director of Community Development

LEGISLATIVE DRAFT

HBZC CHAPTER 231

Chapter 231

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