



## AGENDA REPORT

**Meeting Date:** December 16, 2008

**Item Number:** D-1

**To:** Honorable Mayor & City Council

**From:** Anne Browning McIntosh, AICP, Interim Community Development Director  
Jonathan Lait, AICP, City Planner  
Larry Sakurai, Principal Planner

**Subject:** INTERIM ORDINANCE OF THE CITY OF BEVERLY HILLS EXTENDING INTERIM ORDINANCE 08-O-2556 REGARDING THE APPLICABILITY OF PARKING AND LOADING STANDARDS TO CERTAIN NONCONFORMING COMMERCIAL STRUCTURES IN THE C-3T-2 ZONE ON OLYMPIC BOULEVARD BETWEEN REXFORD DRIVE AND ROBERTSON BOULEVARD

**Attachments:**

1. Exhibit A: Proposed Interim Ordinance
2. Exhibit B: Current Interim Ordinance
3. Exhibit C: Summary of City Actions Taken since Adoption of the Urgency Ordinance

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### RECOMMENDATION

It is the recommendation of staff that City Council adopt the interim ordinance extending Ordinance 08-O-2556 to June 30, 2009.

### INTRODUCTION

On November 5, 2008, the City Council adopted an urgency ordinance that required the intensification in use of legal, nonconforming commercial buildings greater than 12,000 square feet along Olympic Boulevard to meet current parking and loading standards. When such a change in use cannot meet the current standards, the applicant can seek the approval of the Planning Commission through the Development Plan Review public hearing process. The urgency ordinance was adopted to address known

impending changes to former automobile dealer buildings along Olympic Boulevard. Although State law allows a 10-month, 15-day extension of an interim ordinance, staff is seeking a six-month, 15-day extension to allow time to complete the public hearing process for institution of permanent regulations to address this issue. The shorter timeframe responds to the City Council's request that permanent standards be implemented expeditiously.

## DISCUSSION

### The Current Interim Ordinance

The proposed ordinance applies to changes in land use within nonconforming structures of 12,000 square feet<sup>a</sup> or greater only when a more intensive land use is proposed to occupy the premises. The ordinance defines the changes in land use intensity through a series of three tiers. A change from a lower tier to a higher tier would be considered the introduction of a more intensive land use. The tiers are as follows, from lowest to highest:

Tier 1: Warehousing, mini-warehouses (personal storage), furniture stores, and car sales.

Tier 2: Apparel stores, hardware stores, toy stores, discount stores, auto parts stores, general retail stores, general offices, medical offices, and health/fitness clubs.

Tier 3: Restaurants, supermarkets, drugstores, convenience markets, and video rental stores.

Beyond the parking and loading requirements, the ordinance also provides flexibility in applying the standards through the Development Plan Review process. The process provides the applicant and the Planning Commission a means to more specifically tailor the requirements to the unique characteristics of a project. The ordinance provides the Planning Commission discretion to modify the requirements consistent with the findings for approval of a DPR permit. Any adjustment would need to rely on evidence presented to the Planning Commission, such as parking and/or circulation analyses, and information provided through the public hearing process.

### The Proposed Extension

The proposed extension reflects the timeframe that staff believes is needed to develop permanent regulations and proceed through the public hearing process. The Planning Commission discussed the interim regulations in effect at its December 11 meeting. Formal consideration of the permanent regulations is expected to commence near the beginning of 2009, and such permanent regulations could be adopted and become effective during Spring 2009.

The proposed ordinance extends the effective date of the current interim ordinance (Ordinance 08-O-2556) and thus retains the same provisions previously adopted by the City Council on November 5, 2008.

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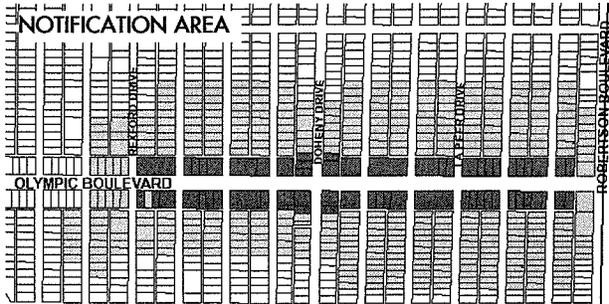
<sup>a</sup> The 12,000 square-foot threshold was added in response testimony at the City Council's November 5 meeting. It allows the ordinary turnover of smaller commercial spaces but addresses larger instances where the change could have significant implications on other nearby land uses.

The current ordinance incorporated the City Council's modifications in response to commented made by the Beverly Hills Chamber of Commerce and other public testimony at that meeting.

As required by State Law, the City is required to demonstrate actions taken since adoption of the interim ordinance toward resolving the issues addressed by the interim ordinance. Attached as Exhibit C is a summary of the actions of the City in this regard.

### Notification

Notice was published in the November 5, 2008 edition of *The Beverly Hills Courier*, the November 11, 2008 edition of *The Beverly Hills Weekly*, to all property owners and mailed to all residents within 300 feet of the area of applicability along Olympic Boulevard, and all owners and residents of single-family residential properties within 500 feet of the area of applicability.



### Environmental Assessment

The interim ordinance was deemed to be categorically exempt as an action authorized by local ordinance to assure the maintenance and protection of the environment and is also exempt because there is no possibility that the ordinance will have an adverse impact on the physical environment. (California Code of Regulations, Title 14, Chapter 3, §15061(b)(3) and §15308).

### Alternatives/Options

In addition to the recommended action, the Council may wish to consider the following:

1. Change the length of the extension of the interim ordinance. The maximum the ordinance can be extended is to November 5, 2009. Another one-year extension is allowed beyond that.
2. Extend the interim ordinance with modifications to the ordinance.
2. Reject the proposed extension of the interim ordinance and allow it to lapse on December 20, 2008.

### FISCAL IMPACT

No direct fiscal impact is anticipated.

  
Anne Browning McIntosh  
Approved By



# ATTACHMENTS



EXHIBIT A

# PROPOSED INTERIM ORDINANCE (EXTENSION)

URGENCY ORDINANCE  
OLYMPIIC NONCONFORMING STRUCTURES

ORDINANCE NO. 08-O-\_\_\_\_\_

INTERIM ORDINANCE OF THE CITY OF BEVERLY HILLS  
EXTENDING INTERIM ORDINANCE 08-O-2556  
REGARDING THE APPLICABILITY OF PARKING AND  
LOADING STANDARDS TO CERTAIN NONCONFORMING  
COMMERCIAL STRUCTURES IN THE C-3T-2 ZONE ON  
OLYMPIC BOULEVARD BETWEEN REXFORD DRIVE AND  
ROBERTSON BOULEVARD

THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS HEREBY  
ORDAINS AS FOLLOWS:

Section 1. On November 5, 2008, the Council of the City of Beverly Hills adopted Interim Ordinance No. 08-O-2556 regarding the applicability of parking and loading standards to certain nonconforming commercial structures in the C-3T-2 Zone on Olympic Boulevard between Rexford Drive and Robertson Boulevard.

Section 2. There is still pending in the City of Beverly Hills a contemplated zoning proposal which the Planning Commission is studying and intends to further study relating to the intensification of uses in certain nonconforming commercial structures along Olympic Boulevard within the City of Beverly Hills.

Section 3. Presently, deficiencies in the parking and the loading facilities can result from changes in, or introduction of, new businesses in existing nonconforming buildings within the Commercial-Residential Transition Area along Olympic Boulevard. These deficiencies in parking, loading, or both, result in the intrusion of parking and other activity associated with commercial uses into nearby residential areas. Such intrusion negatively impacts the character and enjoyment of these residential areas. Therefore, it would be highly detrimental to the public welfare if, in the interim time necessary to complete the zoning ordinance update

process, projects were established, commenced, or constructed that would have negative impacts in residential areas and evade regulations developed to address these issues in the future.

Section 4. Section 65858 of the California Government Code authorizes the adoption of an extension to such interim ordinance as an urgency measure to prohibit any usage of land that may be in conflict with such contemplated zoning proposal which a legislative body, Planning Commission, or Planning Department is considering or studying.

Section 5. On December 5, 2008, a written report was issued describing measures taken in the study of these issues, which led to the adoption of Ordinance 08-O-2556, as staff works toward a permanent regulation for consideration by the City Council.

Section 6. The City Council considered this Ordinance at a duly noticed public hearing on December 16, 2008. Evidence, both written and oral, was presented at the hearing.

Section 7. The City Council finds and determines that the immediate preservation of the public health, safety, and welfare requires that Interim Ordinance 08-O-2556 be extended pursuant to Government Code Section 65858. As described in Section 3 of this Interim Ordinance, changes in uses of nonconforming structures with insufficient parking and loading facilities within the Commercial-Residential Transition Area along Olympic Boulevard pose a significant threat to the residential character of residential neighborhoods adjacent to and near these structures. Specifically, the intrusion of commercial parking resulting from lack of sufficient on-site parking and displacement of parking to accommodate loading activities, negatively impacts the neighboring residential areas and commercial uses with respect to parking, noise and traffic patterns. Additionally, inadequate parking and loading facilities for

these structures place an increased burden on adjacent commercial streets and therefore adversely affects nearby commercial uses. The City is updating its General Plan with respect to the types of uses that may be appropriate along the commercial corridors adjacent to residential uses, and thereafter will update its Planning and Zoning ordinances with respect to, among other things, parking and loading standards and requirements and further controls as deemed necessary to avoid the harmful effects of intensification of commercial properties without adequate parking and loading facilities. The City Council finds that continued intensification of the Olympic Commercial-Residential Transition Area during the City's review and consideration of these issues will further erode the existing character of the City's residential neighborhoods and frustrate the purpose of any regulations ultimately adopted. To ensure that activity within the Olympic Commercial-Residential Transition Area during this period of study is consistent with the goals and objectives of protecting residential neighborhoods, the City Council finds it necessary to extend the current interim regulations that both respect property rights and protect the public health, safety and general welfare. Absent the passage of this extension, inconsistent development within the Olympic Commercial-Residential Transition Area poses a current and immediate threat to the public health, safety, or general welfare, and approval of additional entitlements for development inconsistent with the provisions of this Ordinance would frustrate the City's ability to protect the public health, safety, and welfare by minimizing the adverse effects of intensified commercial uses. Therefore, this Ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare and its urgency is hereby declared.

Section 8. The City Council hereby finds that it can be seen with certainty that there is no possibility that the adoption and implementation of this Ordinance may have a

significant effect on the environment. This Ordinance does not authorize construction and, in fact, extends greater restrictions on certain development in order to protect the public health, safety and general welfare. This Ordinance is therefore exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations. Further, this Ordinance is exempt from CEQA on the separate and independent ground that it is an action of a regulatory agency (the City) for protection of the environment because it will protect residential neighborhoods from impacts associated with intensification of commercial uses, and thus qualifies as a Class 8 exemption pursuant to Section 15308 of Title 14 of the California Code of Regulations.

Section 9. Interim Ordinance 08-O-2556 is hereby extended to and including June 30, 2009.

Section 10. This Ordinance, being an Interim Ordinance adopted as an urgency measure for the immediate protection of the public safety, health, and general welfare, containing a declaration of the facts constituting the urgency, and passed by a minimum four-fifths (4/5) vote of the City Council, shall take effect immediately upon its adoption.

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Section 11. The City Clerk shall cause this Ordinance to be published at least once in a newspaper of general circulation published and circulated in the City within fifteen (15) days after its passage in accordance with Section 36933 of the Government Code, shall certify to the adoption of this Ordinance and shall cause this Ordinance and his certification, together with proof of publication, to be entered in the Book of Ordinances of the Council of this City.

Adopted:

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BARRY BRUCKER  
Mayor of the City of Beverly Hills,  
California

ATTEST:

\_\_\_\_\_(SEAL)  
BYRON POPE  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
LAURENCE S. WIENER  
City Attorney

APPROVED AS TO CONTENT:

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RODERICK J. WOOD, CCM  
City Manager



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ANNE BROWNING MACINTOSH  
Interim Director of Community  
Development



EXHIBIT B

**CURRENT INTERIM ORDINANCE  
(CURRENT INTERIM ZONING PROVISIONS)**

**URGENCY ORDINANCE  
OLYMPIIC NONCONFORMING STRUCTURES**

ORDINANCE NO. 08-O-2556

AN INTERIM ORDINANCE OF THE CITY OF BEVERLY HILLS REGARDING THE APPLICABILITY OF PARKING AND LOADING STANDARDS TO CERTAIN NONCONFORMING COMMERCIAL STRUCTURES IN THE C-3T-2 ZONE ON OLYMPIC BOULEVARD BETWEEN REXFORD DRIVE AND ROBERTSON BOULEVARD, AND DECLARING THE URGENCY THEREOF

THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS HEREBY ORDAINS AS FOLLOWS:

Section 1.     Legislative Findings.

The Planning Commission of the City of Beverly Hills is currently considering a comprehensive update to the City' General Plan. Upon adoption of an updated General Plan, the City will thereafter consider an update to its Planning and Zoning ordinances to ensure consistency with the updated General Plan. One of the many updates that will be addressed is an update of the parking standards that are applied to new uses in nonconforming commercial structures, within the City's existing Commercial-Residential Transition Area on Olympic Boulevard, as shown on Exhibit A, attached hereto and incorporated herein by reference.

Presently, deficiencies in the parking and the loading facilities can result from changes in, or introduction of new businesses in existing nonconforming buildings within the Commercial-Residential Transition Area along Olympic Boulevard. These deficiencies in parking, loading, or both, result in the intrusion of parking and other activity associated with

commercial uses into nearby residential areas. Such intrusion negatively impacts the character and enjoyment of these residential areas.

Therefore, it would be highly detrimental to the public welfare if, in the interim time necessary to complete the zoning ordinance update process, projects were established, commenced, or constructed that would have negative impacts in residential areas and evade regulations developed to address these issues in the future.

Section 2. Authority.

Pursuant to Government Code Section 65858, the City Council may adopt as an emergency measure, an interim ordinance that prohibits any uses that may be in conflict with a contemplated zoning proposal which a legislative body, Planning Commission, or Planning Department is considering or studying or intends to study within a reasonable period of time.

Section 3. Urgency Findings.

The City Council finds and determines that the immediate preservation of the public health, safety and welfare requires that this Interim Ordinance be enacted as an urgency ordinance pursuant to Government Code Section 65858 and take effect immediately upon adoption. As described in Section 1 of this Interim Ordinance, changes in use of nonconforming structures with insufficient parking and loading facilities within the Commercial-Residential Transition Area along Olympic Boulevard pose a significant threat to the residential character of residential neighborhoods adjacent to and near these structures. Specifically, the intrusion of commercial parking resulting from lack of sufficient on-site parking and displacement of parking to accommodate loading activities, negatively impacts the neighboring residential areas with

respect to parking, noise and traffic patterns. Additionally, inadequate parking and loading facilities for these structures places an increased burden on adjacent commercial streets and therefore adversely affects nearby commercial uses. The City is updating its General Plan with respect to the types of uses that may be appropriate along the commercial corridors adjacent to residential uses, and thereafter will update its Planning and Zoning ordinances with respect to, among other things, parking and loading standards and requirements and further controls, as deemed necessary, to avoid the harmful effects of intensification of commercial properties without adequate parking and loading facilities. The City Council finds that continued intensification of the commercial area along Olympic Boulevard Commercial-Residential Transition Area during the City's review and consideration of these issues will further erode the existing character of the City's residential neighborhoods and frustrate the purpose of any regulations ultimately adopted. To ensure that activity within the subject Commercial-Residential Transition Area during this period of study is consistent with the goals and objectives of protecting residential neighborhoods, the City Council finds it necessary to adopt interim regulations that both respect property rights and protect the public health, safety, and general welfare. Absent the passage of this Interim Ordinance, inconsistent development within the subject Commercial-Residential Transition Area along Olympic Boulevard poses a current and immediate threat to the public health, safety, or general welfare and approval of additional entitlements for development inconsistent with the provisions of this Ordinance would frustrate the City's ability to protect the public health, safety, and welfare by minimizing the adverse effects of intensified commercial uses. If this Ordinance does not become effective immediately, but instead becomes effective thirty (30) days after its second reading, there is a risk that further harm will be done to the City's residential neighborhoods and the subject Commercial-

Residential Transition Area before the above referenced studies can be completed and any protections recommended by the studies can be implemented. It is necessary that this Ordinance take effect immediately to prevent such harm to the residential neighborhoods adjacent to and near the City's Commercial-Residential Transition Area along Olympic Boulevard. Therefore, this Ordinance is necessary for the immediate preservation of the public peace, health, safety, and welfare and its urgency is hereby declared.

Section 4. Definitions.

For the purposes of this Ordinance, the following words and phrases shall have the meaning set forth below.

4.1 "Olympic Commercial-Residential Transition Area" shall mean the area shown in Exhibit A of this ordinance.

4.2 "Intensification of Use" shall mean a change in use where the new use is listed in a higher tier on the list set forth below, than the previous use. Tier 2, for example, is a higher tier than Tier 1.

Tier 1 shall include: warehousing, mini-warehouses, furniture stores, car sales or service, surface parking, storage and other similar uses as determined by the Director of Community Development.

Tier 2 shall include: apparel stores, hardware stores, toy stores, discount stores, general retail stores, general offices, medical offices, health/fitness clubs, and other similar uses as determined by the Director of Community Development.

Tier 3 shall include: restaurants, supermarkets, drugstores, convenience markets, video rental stores, and other similar uses as determined by the Director of Community Development.

4.3 “Major Commercial Space” shall mean commercial space of 12,000 square feet or more, excluding space used for or in connection with parking or loading.

4.4 “Regular Operation” shall mean a permitted or existing nonconforming use that is open for business to the general public during a use’s customary business hours.

Section 5. Intensification in Use.

Proposals for Intensification of Use, as defined in Section 4 above, of Major Commercial Space located in the Olympic Commercial-Residential Transition Area shall comply with the provisions of Sections 6 and 7 of this Ordinance or shall obtain Planning Commission approval pursuant to Section 8 of this Ordinance.

In determining the tier in which a specific use belongs, the Director of Community Development may consider all relevant factors including, without limitation, parking demand as indicated in *ITE Parking Generation, 3<sup>rd</sup> Edition*; parking demand as indicated in *ULI Shared Parking, 2<sup>nd</sup> Edition*; and/or vehicle trips generated by the use as projected using the *ITE Trip Generation, 7<sup>th</sup> Edition*; the judgment of the City Engineer; and any data or evidence and supporting analysis provided by a registered engineer.

Section 6.      Parking Requirements.

Notwithstanding any provisions of the City of Beverly Hills Municipal Code to the contrary, including specifically Section 10-3-4102 of Chapter 3 of Title 10, if the application of this Section 6 is triggered by Section 5 of this Ordinance, then the proposed use of a nonconforming structure shall meet the parking requirements set forth in Sections 10-3-2729 and 10-3-2730 of Chapter 3 of Title 10 of the Beverly Hills Municipal Code.

Section 7.      Loading Facilities.

Notwithstanding any provisions of the City of Beverly Hills Municipal Code to the contrary, if the application of this Section 7 is triggered by Section 5 of this Ordinance, then the proposed use of a nonconforming structure shall meet the loading space requirements set forth in Sections 10-3-2741, 10-3-2742, and 10-3-2743 of Chapter 3 of Title 10 of the Beverly Hills Municipal Code.

Section 8.      Planning Commission Authority.

Notwithstanding the provisions of Sections 6 and 7, a project applicant may apply to the Planning Commission for an accommodation to the parking and/or loading standards required by Sections 6 and 7. The application shall be submitted and processed pursuant to the procedures established for the City's Development Plan Review process as set forth in Article 31 of Chapter 3 of Title 10 of the Beverly Hills Municipal Code. The Planning Commission may establish parking requirements that differ from those requirements set forth in Section 10-3-2729 or Section 10-3-2730 of Chapter 3 of Title 10 of the Beverly Hills Municipal Code if, in addition to the Development Plan Review findings of Section 10-3-3104, the Planning Commission

determines that the use will generate a need for parking different than the amount or layout of parking required under Section 10-3-2730 or the Commission determines that the parking demand will be met by means other than those means specified in Section 10-3-2730; provided further, that the Planning Commission may not reduce the required parking to less than the amount of parking that can currently be accommodated on the subject site.

The Planning Commission may also establish loading requirements for nonconforming uses that are different than those requirements established in Sections 10-3-2740 through 10-3-2742 of Chapter 3 of Title 10 of the Beverly Hills Municipal Code if the Planning Commission determines that the loading can be accommodated in a manner that achieves the Development Plan Review findings required under Section 10-3-3104 of the Municipal Code.

Section 9. This ordinance shall not apply to uses in regular operation on November 5, 2008. This ordinance shall not apply to businesses that received a certificate of tenancy or certificate of occupancy on or before November 5, 2008. The provisions of this ordinance shall not apply to structures and tenant space improvements under construction on November 5, 2008 with a valid building permit.

Section 10. CEQA Findings.

The City Council hereby finds that it can be seen with certainty that there is no possibility that the adoption and implementation of this Ordinance may have a significant effect on the environment. This Ordinance does not authorize construction and, in fact, imposes greater restrictions on certain development in order to protect the public health, safety, and general welfare. This Ordinance is therefore exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) pursuant to Section

15061(b)(3) of Title 14 of the California Code of Regulations. Further, this Ordinance is exempt from CEQA on the separate and independent ground that it is an action of a regulatory agency (the City) for protection of the environment because it will protect residential neighborhoods from impacts associated with intensification of commercial uses, and thus qualifies as a Class 8 exemption pursuant to Section 15308 of Title 14 of the California Code of Regulations.

Section 11.    Severability.

If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this Ordinance shall be remain in full force and effect.

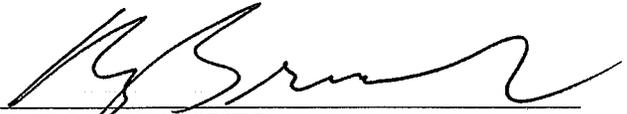
Section 12.    This Ordinance, being an Interim Ordinance adopted as an urgency measure for the immediate protection of the public safety, health, and general welfare, containing a declaration of the facts constituting the urgency, and passed by a minimum four-fifths (4/5) vote of the City Council, shall take effect immediately upon its adoption and shall continue in effect for a period of not longer than forty-five (45) days; provided, however, that after notice pursuant to Section 65090 of the California Government Code and public hearing, the City Council may extend the effectiveness of this Interim Ordinance as provided in Government Code Section 65858.

Section 13.    Publication.

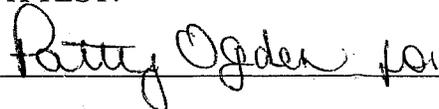
The City Clerk shall cause this Ordinance to be published at least once in a newspaper of general circulation published and circulated in the City within fifteen (15) days

after its passage in accordance with Section 36933 of the Government Code, shall certify to the adoption of this Ordinance and shall cause this Ordinance and his certification, together with proof of publication, to be entered in the Book of Ordinances of the Council of this City.

Adopted: November 5, 2008

  
\_\_\_\_\_  
BARRY BRÜCKER  
Mayor of the City of Beverly Hills,  
California

ATTEST:

  
\_\_\_\_\_  
(SEAL)

BYRON POPE  
City Clerk

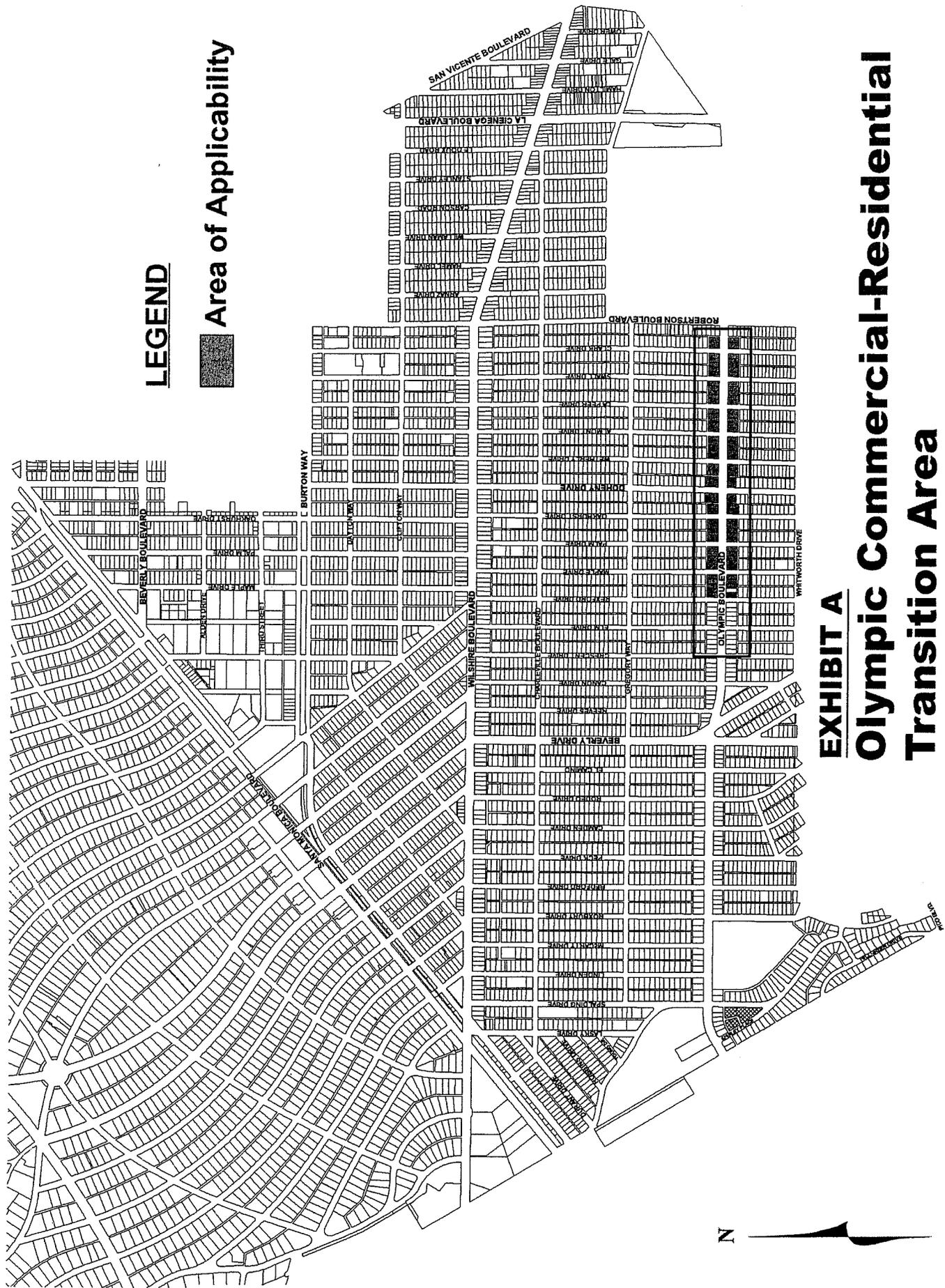
APPROVED AS TO FORM:

  
\_\_\_\_\_  
LAURENCE S. WIENER  
City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
RODERICK J. WOOD  
City Manager

  
\_\_\_\_\_  
ANNE BROWNING MCINTOSH  
Interim Director of Community  
Development



**LEGEND**

■ Area of Applicability

**EXHIBIT A**  
**Olympic Commercial-Residential**  
**Transition Area**



EXHIBIT C

## SUMMARY OF CITY ACTIONS SINCE ADOPTION OF THE CURRENT INTERIM ORDINANCE

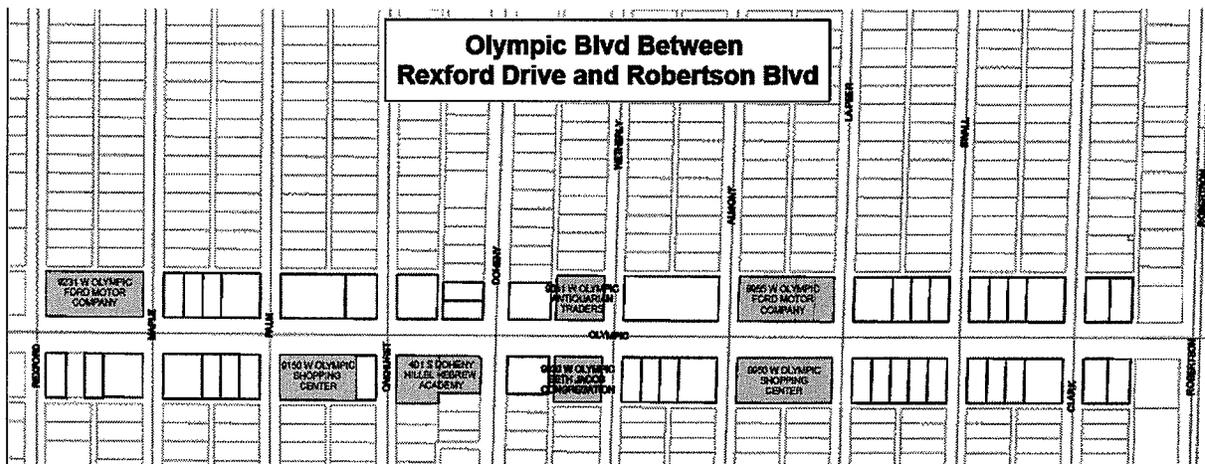
URGENCY ORDINANCE  
OLYMPIIC NONCONFORMING STRUCTURES

## EXHIBIT C

### MEASURES TAKEN TO ALLEVIATE CIRCUMSTANCES OF THE INTERIM ORDINANCE

A number of tasks have been undertaken or are in progress to deal with the concerns addressed by the ordinance, including:

- The Planning Commission reviewed the interim ordinance and the issues it addresses at its meeting of December 11, 2008. Based on the feedback from the Commission at that informal session, staff expects to prepare a permanent ordinance to replace the interim ordinance currently in place.
- Staff has been working with the owner of the site at 9231 Olympic Boulevard (former Ford dealership at Rexford & Olympic) to address parking, loading, and other issues in preparation for Planning Commission review.
- To evaluate the potential implications of the ordinance, staff had reviewed the development along Olympic Boulevard and identified seven potential sites:



This information was provided to the City Council at its November 5 meeting. The three sites on the north side of Olympic Boulevard represent single, large spaces that would be affected by the ordinance. The two shopping centers on the south side of Olympic are broken into smaller tenant spaces that would not be subject to the ordinance. The other sites are occupied by religious and educational institutions.

- Staff also checked the age of structures to evaluate which parking standards the buildings were constructed under. The most significant recent change in parking standards occurred in 1989 when the current standards for medical offices were instituted. A less ubiquitous standard was also instituted in 1994 for exercise facilities. Between 1962 and 1976, the 1/350<sup>b</sup> was phased in in a progression of three ordinances. The current loading requirements were established in 2005. Because of how recent the current loading requirements were adopted, all of the subject sites above could be affected by the ordinance. The shopping center at 8950 Olympic Boulevard was built during the 1980s and meets the 1/350 standards but has nonconforming medical offices and nonconforming loading facilities.

<sup>b</sup> One parking space required for every 350 square feet of commercial floor area.

Meeting Date: December 16, 2008

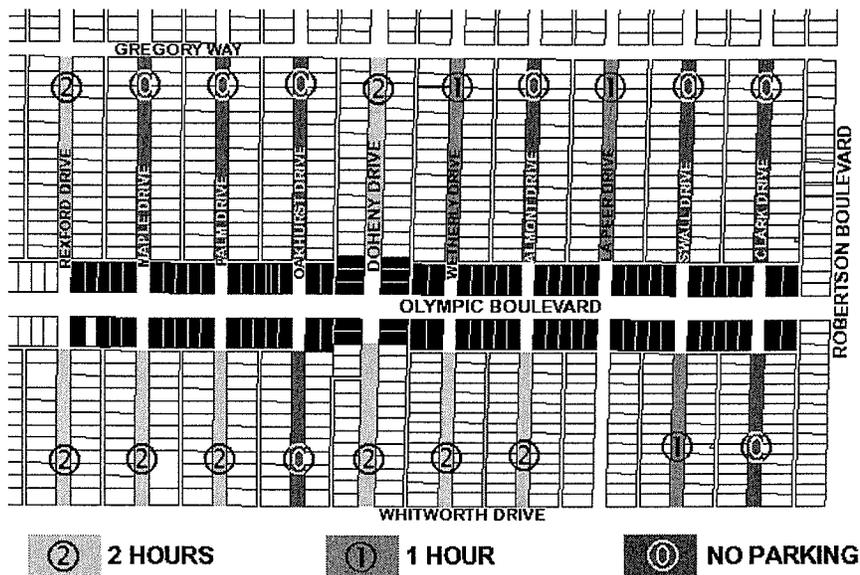
Item Number:

- Staff checked the City's business database and identified 120 businesses with Olympic Boulevard addresses east of Rexford Drive. The businesses include:

20 Lessors of real property	3 Real estate
17 Beauty shops	2 Commodity contracts brokers & dealers
11 Offices & clinics of doctors of medicine	2 Florists
10 Eating & drinking places	2 Nonstore retailers
8 Business services & misc. business services	2 Operator of nonresidential bldgs
4 Office & clinics of dentists	2 Real estate agents & managers
4 Photocopying & duplicating svcs	30 Other businesses
3 Drycleaning plants, except rug cleaning	

Most would fit within the Tier II intensity classification in the ordinance, and the vast majority occupy spaces smaller than 12,000 square feet.

- In addition, staff identified the permit parking restrictions in the neighborhoods adjacent to the subject area to consider how they might address the impact of inadequacies in parking in the commercial area. Restrictions are more stringent along the north and east compared to the south and west.



- Staff proposed a meeting with the Government Affairs Committee of the Chamber of Commerce to further discuss the ordinance. Because the current ordinance incorporated the amendments proposed to the City Council by the Chamber of Commerce at its November 5 meeting, the committee expressed little interest in meeting at this time.<sup>c</sup>

<sup>c</sup> The 12,000 square-foot threshold was requested by the Chamber of Commerce, together with a request to remove a provision that would have required commercial buildings that have not been in uses for 12 months or more to meet current parking and loading standards.