

Malibu City Council
Zoning Ordinance Revisions and
Code Enforcement Subcommittee (ZORACES)
Special Meeting Agenda

Tuesday, August 9, 2016

4:00 P.M.

City Hall – Zuma Room
23825 Stuart Ranch Road

Mayor Pro Tem Skylar Peak
Councilmember Laura Rosenthal

Call to Order

Approval of Agenda

Report on Posting of the Agenda – August 5, 2016

Public Comment *This is the time for the public to comment on any items not appearing on this agenda. Each public speaker shall be allowed up to three (3) minutes for comments. The Subcommittee may not discuss or act on any matter not specifically identified on this agenda, pursuant to the Ralph M. Brown Act.*

Discussion Items

1. Approval of Minutes – May 9, 2016

Recommended action: Approve the minutes of the Zoning Ordinance Revisions and Code Enforcement Subcommittee (ZORACES) Special meeting of May 9, 2016.

Staff contact: Planning Director Blue, 310-456-2489, ext. 258

2. Zoning Text Amendment No. 16-002 to Allow Valet Parking Lots Serving Hotels, Motels, and Bed and Breakfast Inns Located in the CV-1 and CV-2 Zoning Districts

Recommended action: Review the proposed amendments to the Malibu Municipal Code (MMC) allowing the use of valet parking lots for hotels, motels, and bed and breakfast inns located in the Commercial Visitor Serving-One (CV-1) and Commercial Visitor Serving-Two (CV-2) zoning districts.

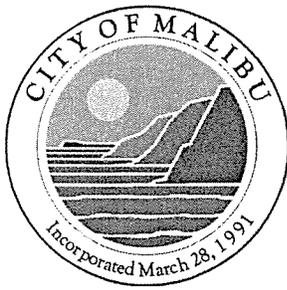
Staff contact: Contract Planner Janowicz, 310-456-2489, ext. 345

Adjournment

I hereby certify under penalty of perjury, under the laws of the State of California, that the foregoing agenda was posted in accordance with the applicable legal requirements. Dated August 5, 2016.



Patricia Salazar, Senior Administrative Analyst



Zoning Ordinance
Revisions & Code
Enforcement
Subcommittee Meeting
08/09/16
Item 1

Zoning Ordinance Revisions and Code Enforcement Subcommittee Agenda Report

To: Zoning Ordinance Revisions and Code Enforcement
Subcommittee (ZORACES) Members Rosenthal and Peak

Prepared by: Bonnie Blue, Planning Director 

Date prepared: August 3, 2016 **Meeting date:** August 9, 2016

Subject: Approval of Minutes – May 9, 2016

RECOMMENDED ACTION: Approve the minutes of the Zoning Ordinance Revisions and Code Enforcement Subcommittee (ZORACES) Special meeting of May 9, 2016.

DISCUSSION: Staff has prepared draft minutes for the ZORACES Special meeting of May 9, 2016 and hereby submits the minutes to the Subcommittee for approval.

ATTACHMENT: Draft Minutes of the May 9, 2016 ZORACES Special meeting

MINUTES
MALIBU ZONING ORDINANCE REVISIONS AND CODE ENFORCEMENT
SUBCOMMITTEE
SPECIAL MEETING
MAY 9, 2016
CITY HALL - ZUMA ROOM
3:30 P.M.

CALL TO ORDER

Mayor Rosenthal called the meeting to order at 3:30 p.m.

ROLL CALL

The following persons were recorded in attendance:

PRESENT: Mayor Laura Rosenthal and Councilmember Skylar Peak

ALSO PRESENT: Bonnie Blue, Planning Director and Christopher Deleau, Planning Manager

APPROVAL OF AGENDA

CONSENSUS

By consensus, the Subcommittee approved the agenda.

REPORT ON POSTING OF AGENDA

Planning Director Bonnie Blue reported that the agenda for the meeting was properly posted on May 5, 2016.

PUBLIC COMMENT

None.

DISCUSSION ITEMS

1. Approval of Minutes – April 26, 2016

Recommended Action: Approve the minutes of the Zoning Ordinance Revisions and Code Enforcement Subcommittee (ZORACES) Special Meeting of April 26, 2016.

CONSENSUS

By consensus, the Subcommittee approved the minutes of the ZORACES Special Meeting of April 26, 2016.

2. Zoning Text Amendment No. 13-001 to Establish a Citywide Lighting Ordinance

Recommended Action: Review the residential portion of the proposed citywide lighting ordinance and provide staff with comments and recommendations.

CONSENSUS

By consensus, the Subcommittee recommended that staff:

1. Delete 17.41.040(B)(4) regarding replacement of up to 25 percent of luminaires;
2. Add the existing lighting standards found in the Local Coastal Program (LCP) and Malibu Municipal Code (MMC) to this ordinance;
3. Prohibit blinking lights and LED rope lights;
4. Limit use of seasonal lighting to November 15 to January 15;
5. Revise 17.41.060(A) to reduce the lumen limit for fully shielded luminaires from 1,260 to 900;
6. Create a method for establishing a lighting budget for each property related to size and building square footage (excluding basements) so that properties cannot be over-lighted using fixtures meeting the prescriptive standards;
7. Change the term “occupancy sensor” to “motion sensor” for automatic outdoor lighting controls and make the time limit something that is compatible with the typical factory settings for automatic controls;
8. Use incentives rather than penalties where possible to encourage voluntary compliance;
9. Require non-compliant lighting to be turned off until corrected;
10. Investigate options for limiting the outdoor effects of indoor lighting, such as from structures with extensive windows; sea turtle lighting regulations could provide examples;
11. Set the residential curfew at 11:00 p.m.;
12. Modify 17.41.060(A)(4) to provide that lighting operating on motion sensors shall be extinguished no more than 15 minutes (standard factory setting) after its turned on instead of the 5 minutes in the current draft ordinance; and
13. Investigate how compliance will be measured once installation of fixtures and bulbs is completed on a property.

ADJOURNMENT

CONSENSUS

By consensus, the Subcommittee adjourned the meeting at 5:00 p.m.

Approved and adopted by the Zoning Ordinance Revisions and Code Enforcement Subcommittee of the City of Malibu on August 9, 2016.

LAURA ROSENTHAL, Councilmember

ATTEST:

MARY LINDEN, Executive Assistant



Zoning Ordinance
Revisions & Code
Enforcement
Subcommittee Meeting
08/09/16

Item 2

Zoning Ordinance Revisions and Code Enforcement Subcommittee Agenda Report

To: Zoning Ordinance Revision and Code Enforcement Subcommittee
(ZORACES) Members Peak and Rosenthal

Prepared by: Jasch Janowicz, Contact Planner

Approved by: Bonnie Blue, Planning Director

Date prepared: August 5, 2016 **Meeting date:** August 9, 2016

Subject: Zoning Text Amendment No. 16-002 to Allow Valet Parking Lots
Serving Hotels, Motels, and Bed and Breakfast Inns Located in
the CV-1 and CV-2 Zoning Districts

RECOMMENDED ACTION: Review the proposed amendments to the Malibu Municipal Code (MMC) allowing the use of valet parking lots for hotels, motels, and bed and breakfast inns located in the Commercial Visitor Serving-One (CV-1) and Commercial Visitor Serving-Two (CV-2) zoning districts.

DISCUSSION: The ZTA request was submitted as part of the proposed renovation of Malibu Beach Inn at 22878 Pacific Coast Highway (PCH), which is still under review. The original renovation request included the replacement existing onsite hotel parking spaces with a swimming pool along with the relocation of the displaced parking spaces offsite, as permitted by MMC Section 17.48.50(A)(1). However, upon further review of the offsite parking plan, it was determined that the location of the offsite parking lot would not be located within 300 feet of the hotel use and would require the construction of a cross-walk across PCH and a mid-block stop light to allow safe pedestrian passage.

Due to concerns over pedestrian safety, staff directed the applicant to consider other options for providing offsite parking in order to support the proposed hotel renovation. Due to the limited number of potential offsite parking lots within 300 feet of the Malibu Beach Inn property, the applicant submitted Zoning Text Amendment No. 16-002 in April 2016 to allow valet parking lots for hotel, motels, and bed and breakfast inns located the CV-1 and CV-2 zoning districts upon review and approval of a conditional use permit.

Since submittal of the initial zoning text amendment application, staff has been working with the applicant to develop a preliminary set of development standards for offsite valet parking lots for consideration by ZORACES. It should be noted that while this proposed amendment was initiated by a project applicant, the amendment itself is not project-specific. It would apply citywide to properties meeting the applicability requirements.

Based on transient occupancy tax receipts, the following hotels, motels and bed and breakfast inns are operating in the City, and two additional motels are under construction and not yet operating:

Malibu Beach Inn	22878 Pacific Coast Highway
Malibu Country Inn	6506 Westward Beach Road
Malibu Motel	22541 Pacific Coast Highway
Malibu Riviera	28920 Pacific Coast Highway
Casa Malibu (Nobu Ryokan)	22752 Pacific Coast Highway (under construction)
Surfrider Inn	23033 Pacific Coast Highway (under construction)

All of these properties are located on constrained commercial sites that could benefit from the opportunity to provide additional parking using valet services.

Regulatory Context

MMC Chapter 17.48 provides for off-street parking facilities for new development in the City. The subsections under this chapter specify the parking standards for each type of permitted or conditionally permitted use within each zoning district, as well as the development standards. The parking lot development standards include provisions for the common (joint) use of parking facilities, the location of parking facilities, and other requirements, such as landscaping, layout, access, and lighting.

In particular, it is important to note that MMC Section 17.48.50(A)(1) limits the location of parking facilities to the same lot as the structure they are intended to serve, except that the Planning Commission may approve parking on a separate lot if the distance from the offsite parking area to the structure it is required to serve is no more than 300 feet. This distance shall be measured along a legal and safe pedestrian path from the parking space to the nearest entrance of the building. The MMC does not include provisions permitting the use of offsite valet parking lots, except in the context of temporary uses (MMC Section 17.68.010).

Parking regulations are also included in the Malibu Local Coastal Program (LCP), in Local Implementation Plan (LIP) Section 3.14. These regulations mirror those of the MMC. At this time, the LCP is not proposed to be modified as part of this ordinance.

Proposed Amendments

In response to the applicant's initial submittal of the zoning text amendment, staff completed a review of general valet parking standards from a number of other municipalities, reviewed the City's zoning maps, and reviewed the condition of properties located within CV-1, CV-2, and other surrounding zoning districts. A decision was made to limit the scope of the ordinance to valet parking lots serving hotel, motel, and bed and breakfast uses ("hospitality uses") located within the CV-1 and CV-2 zoning districts. Each valet parking lot could be located within the surrounding commercial zoning districts (i.e. Community Commercial (CC), CV-1 and CV-2) as long as the lot is located within 1,000 feet from the use it is required to serve. To address concerns about pedestrians having to cross PCH to access the offsite parking lots, the City would require that the cars be parked and retrieved by valet parking staff only and that a vehicle shuttle system be used for the purpose of transporting valet staff as needed between the hotel/motel uses and the offsite valet lot. The location of these offsite valet parking lots was limited to CC, CV-1 and CV-2 zoning districts because the majority of CC, CV-1 and CV-2 zoned parcels are located in areas surrounded by urban development with parking lots and are generally flat, and thus could support a parking lot type of use while minimizing potential environmental impacts.

The proposed valet parking standards for these uses address:

- Valet parking lot design standards
- Valet parking lot operational standards
- Valet parking lot circulation and parking management studies
- Valet attendant licensing and insurance provisions
- Customer pick-up and drop-off requirements
- Proper legal agreements to secure use of off-site parking lots
- Enforcement provisions

Proposed text is shown below. Note that the proposed text shown below would become a new subsection of MMC Chapter 17.48, rather than a new subsection of the existing 17.48.050 Development Standards.

Title 17 ZONING

Chapter 17.48 OFF-STREET PARKING AND LOADING REQUIREMENTS

17.48.080 VALET PARKING FOR HOSPITALITY USES.

A. Applicability. This section applies only to onsite and offsite valet parking for hospitality uses consisting of hotels, motels and bed and breakfast inns in the CV-1 and CV-2 districts. No valet parking shall be provided for such uses except pursuant to a conditional use permit in compliance with this section. Valet parking lots approved by conditional use permit under this section may

be developed and operated subject to the requirements of this section in lieu of being subject to the requirements of Section 17.48.050. Nothing in this section shall reduce the number of parking spaces otherwise required under Title 17 of this Code. Parking spaces shall be counted only towards the parking requirements of a single property; no provision of this section shall be interpreted to allow a parking space to be used to satisfy the parking requirements of more than one property or use.

B. Location.

1. Required parking facilities shall be on the same lot as the structure they are intended to serve, except that with proper legal agreement, an offsite valet lot that complies with the following standards may be approved.

- a. The term "offsite valet lot" shall mean an off-street parking area which is not on the same lot as the structure the parking is intended to serve, and which is approved for valet parking use in accordance with this section.
- b. Proper legal agreement means an agreement approved by the City Attorney which assures continued availability of the offsite valet lot as required under this paragraph. Such agreement may include a parking easement, lease of the offsite valet lot with a term no less than ten years (including option terms), or a covenant recorded against the offsite valet lot providing parking for so long as the onsite use requires.
- c. The offsite valet lot shall be within 300 feet from the use it is required to serve measured along a legal and safe pedestrian path from the offsite valet lot to the nearest entrance of the building or use for which the parking is required; or
- d. The offsite valet lot shall be within 1,000 feet from the use it is required to serve measured from the closest point of vehicular access along the path of vehicular access.
- e. Offsite valet lots described in (B)(1)(d) shall be used for storage of automobiles parked and retrieved by valet parking staff only, not by the public, tenants, employees, guests, invitees or customers of the hospitality use which it serves, and valet parking staff shall only access the lot via an approved shuttle system. If the off-site valet lot is approved under B(1)(d), then the conditions of approval shall prohibit valet staff from traveling between the onsite use and the offsite valet lot via means other than the approved vehicle shuttle system and shall include a valet operations plan.

2. Except for established legal nonconforming situations, the onsite and offsite valet parking spaces may not be located in required front or street side yard setbacks.

3. An offsite valet lot shall be located entirely within a CC, CV-1, or CV-2 zoning district. Other lawful uses may be conducted on the same lot as an offsite valet lot if the uses sharing the lot are compatible and have adequate parking; provided, however, that an offsite valet lot shall not be approved within the parking lot of a shopping center.¹

4. The approval shall be conditioned upon compliance with the valet operations plan submitted by the applicant under paragraph (K)(4) below and a shuttle system designed to insure safe passage of vehicles and valet attendants between locations (if the offsite valet lot is approved under (B)(1)(d)).

C. Offsite and Onsite Valet Parking Lot Access. There shall be a minimum ten (10) foot wide, three-inch thick, asphaltic or cement concrete, paved, vehicular access way from a public street or alley to off-street parking facilities.

D. Offsite and Onsite Valet Parking Lot Screening and Landscaping. As part of the conditional use permit approval for any valet parking use under this section, landscaping and screening conditions shall be required consistent with General Plan LU Policy 4.1.7, LU Implementation Measure 28, and Section 17.66.080(E) of this Code.

E. Offsite and Onsite Valet Parking Lot Layout and Paving.

1. All parking areas shall be surfaced with asphaltic or cement concrete paving which is at least three inches thick or permeable paving of comparable load-carrying capacity and durability.

2. Parking stalls that will be available for self-parking and/or retrieval by individuals other than valet parking staff shall be at least nine feet by twenty (20) feet minimum, except that up to twenty (20) percent of these stalls may be compact spaces at least eight feet by fifteen (15) feet, six (6) inches. Stalls shall be marked with lines or indicated with special paving materials. No tandem or stacked parking shall be allowed for these stalls. The access lanes shall be clearly defined and shall include directional arrows to guide internal movement traffic. Any valet-only parking portion of the lot shall be clearly delineated and separate from any self-parking area. Self-parking shall not be allowed in a valet area, and valet parking shall not be allowed in a self-parking area of the lot.

3. Offsite valet parking areas that will be accessed only by valet parking staff shall provide a minimum of 112.5 square feet (7.5 feet by 15 feet) of useable parking lot surface per vehicle, excluding drive aisles.

¹ Note that a formal definition of a shopping center may need to be created in order to ensure compliance with this standard.

Striping or stall markings shall not be required for these areas. Tandem and stacked parking shall be allowed in these areas by valet parking staff in any arrangement, provided that no more than two other parked vehicles need to be moved in order to extract any parked vehicle. The valet parking portion of the lot shall be clearly delineated and separate from any self-parking area. Self-parking shall not be allowed in a valet area, and valet parking shall not be allowed in a self-parking area of the lot.

4. Prior to conditional use permit approval, proposals for offsite and onsite valet lots shall be reviewed and approved by the Fire Department for sufficient emergency access and the Public Works Department for approval of stacking location, circulation and operation. Any required emergency access lanes identified by the Fire Department shall not be used to hold, park or store vehicles or otherwise blocked or impeded by valet operations.

5. Offsite and onsite valet lots shall be designed so that provision is made, to the satisfaction of the director, for the accommodation of vans, motorcycles, and bicycles.

F. Licensing. Valet operations conducted entirely on the lot containing the hotel/motel/inn may be conducted by staff of the hotel/motel/inn. Valet operations that include an offsite valet lot shall be conducted only by a business licensed to provide valet services under Section 5.04.010 of this Code, which has incorporated by reference Chapter 7.86 of the Los Angeles County Business License Ordinance.

G. Lighting. Lighting, where provided to illuminate an offsite and/or onsite valet parking area, shall be hooded and so arranged and controlled so as to minimize the impact on highway traffic, adjacent street traffic, and adjacent properties. Lighting shall conform to all other applicable lighting standards under this Code.

H. Usability. The required off-street parking facilities and driveways shall not be used for any purpose other than as defined by this chapter. No owner or tenant shall lease, rent or otherwise make them available for any other purpose.

I. Enforcement. Violations of this section, or of other conditions of a conditional use permit issued pursuant hereto, are subject to penalties and actions including, but not limited to, those defined in Chapters 1.10, 17.04, and 17.66 of this Code.

J. Temporary Alternative Parking. In the event that an offsite valet lot approved and used pursuant to this section subsequently becomes

unavailable, in part or in whole, due to natural disaster, termination of the legal agreement, or other cause, the director is authorized to administratively approve temporary alternative measures to allow the primary use served by the offsite valet lot to continue operating in whole or in part for a period of up to 120 days from the date the offsite valet lot became unavailable in part or in whole. The temporary alternative measures may include, among others, partial closure or limitations on the primary use, temporary use of alternative parking locations approved by the director, or a temporary reduction in required parking.

K. Application. In addition to any other applicable requirements of Chapter 17.66, an application for a conditional use permit for valet parking under this section shall include:

1. Legible plans drawn to a scale of one inch equals 20, 30, 40 or 50 feet showing:

a. All buildings, parking lot layouts, streets and fire hydrants within 150 feet of where valet parking operations will take place.

b. The location of self-parking spaces and valet parking lots, including drive aisles, and depicting vehicle stacking of valet lots at full capacity. The plans shall include dimensions and area calculations sufficient to demonstrate compliance with the requirements of this section.

c. The location of customer drop-off, customer pick-up, and short-term holding spaces (if any).

3. A table of information showing the proposed number of parking spaces onsite and offsite, for self-parking and valet.

4. A narrative description and plan for valet operations, and, if the offsite valet lot utilizes (B)(1)(d) above, a valet shuttle operation plan, prepared by a licensed traffic engineer in consultation with experienced valet parking operators including:

a. circulation routes;

b. vehicle staging patterns;

c. hours of valet operation;

d. minimum staffing levels by day and time;

e. the name, address and telephone contact for the hotel operator or manager and all contract valet parking operators to be used;

f. proof of liability insurance;

g. proof of applicable business license or equivalent City of Malibu registration; and

h. specifications for any proposed permanent, temporary or directional signage associated with the proposed valet operation.

5. If a reduction in the number of spaces required by this Chapter is proposed due to shared parking or another provision of this Chapter, the application shall include a parking demand study prepared by a licensed traffic engineer that demonstrates that the off-street parking provided would be adequate to meet parking demand.

STAFF FOLLOW-UP: Staff requests that ZORACES provide comments and recommendations on the proposed zoning text amendment. Staff will update the draft amendment language and either prepare the ordinance for Planning Commission consideration or return to the subcommittee for additional comments.

ENVIRONMENTAL REVIEW: Staff is still reviewing options for compliance with the California Environmental Quality Act.

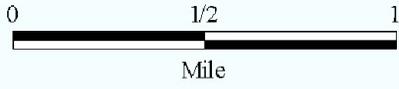
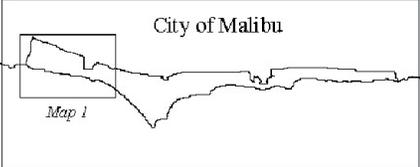
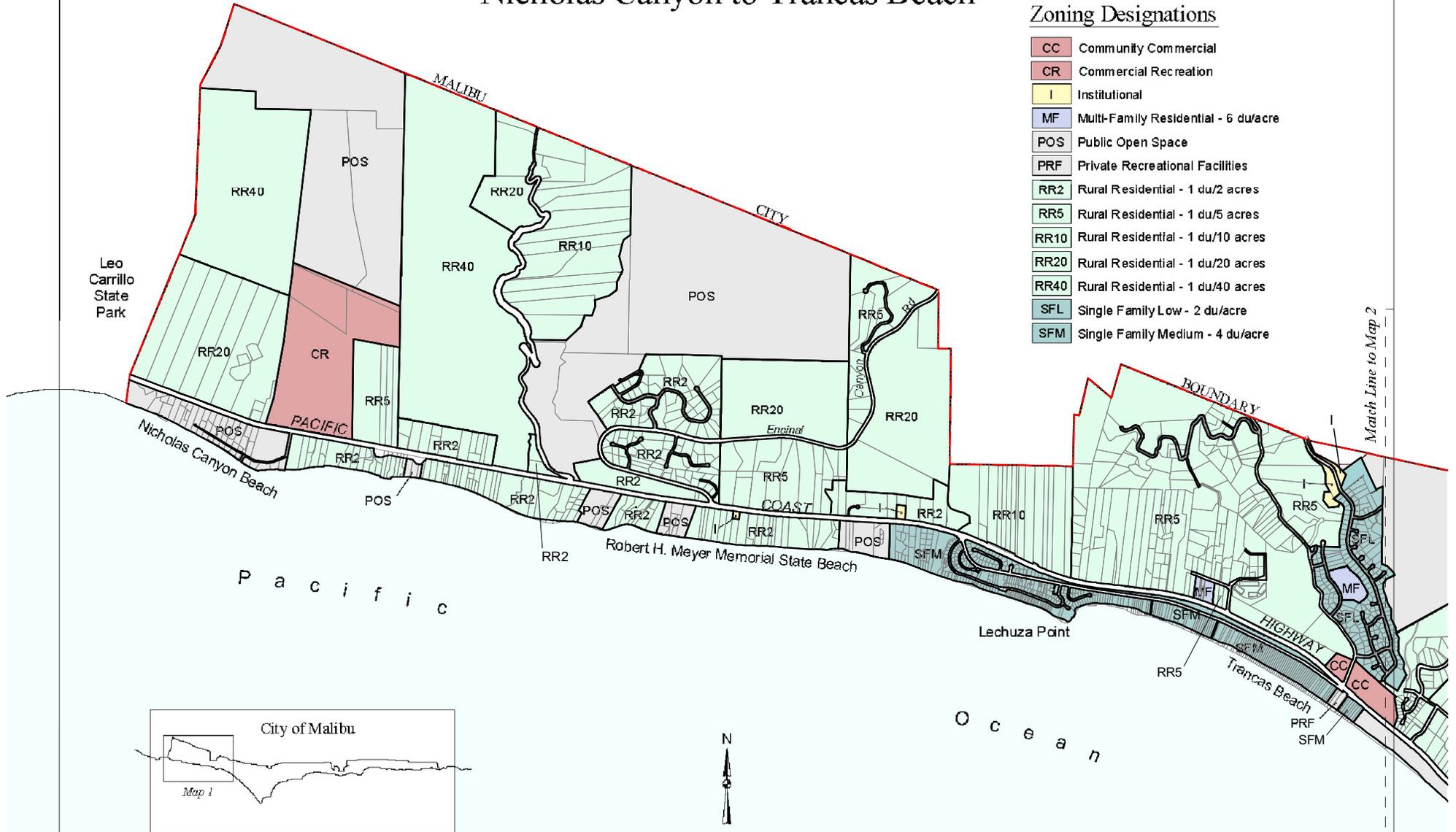
ATTACHMENT: Malibu Zoning Map

Local Coastal Program - City of Malibu

Zoning Map 1: Nicholas Canyon to Trancas Beach

Zoning Designations

CC	Community Commercial
CR	Commercial Recreation
I	Institutional
MF	Multi-Family Residential - 6 du/acre
POS	Public Open Space
PRF	Private Recreational Facilities
RR2	Rural Residential - 1 du/2 acres
RR5	Rural Residential - 1 du/5 acres
RR10	Rural Residential - 1 du/10 acres
RR20	Rural Residential - 1 du/20 acres
RR40	Rural Residential - 1 du/40 acres
SFL	Single Family Low - 2 du/acre
SFM	Single Family Medium - 4 du/acre



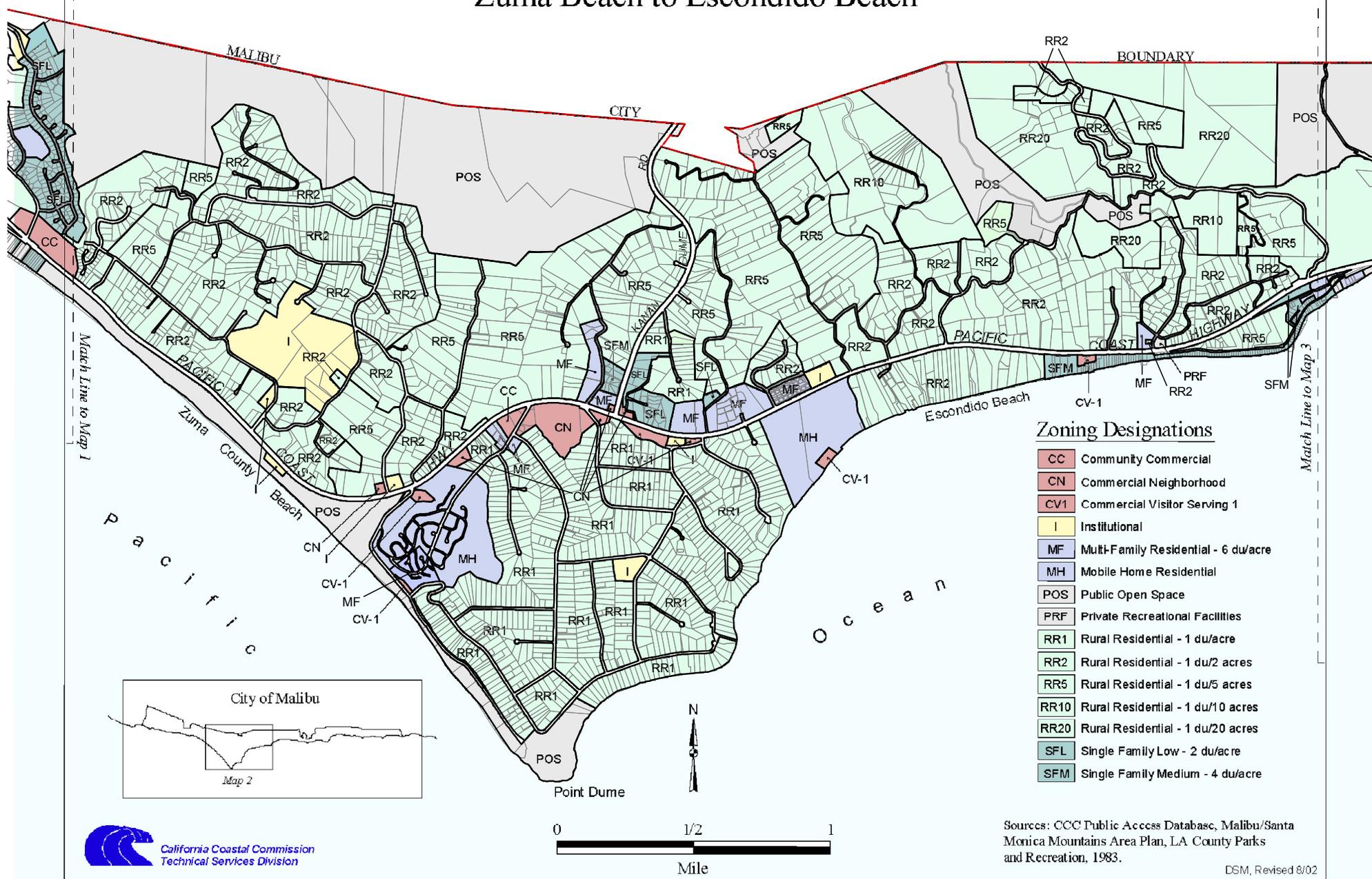
Sources: CCC Public Access Database, Malibu/Santa Monica Mountains Area Plan, LA County Parks and Recreation, 1983.

DSM, Revised 8/02



Local Coastal Program - City of Malibu

Zoning Map 2: Zuma Beach to Escondido Beach



Sources: CCC Public Access Databasc, Malibu/Santa Monica Mountains Area Plan, LA County Parks and Recreation, 1983.

DSM, Revised 8/02

City of Malibu, Planning Department, Updated 11/11



Local Coastal Program - City of Malibu

Zoning Map 3: Dan Blocker to Malibu Pier

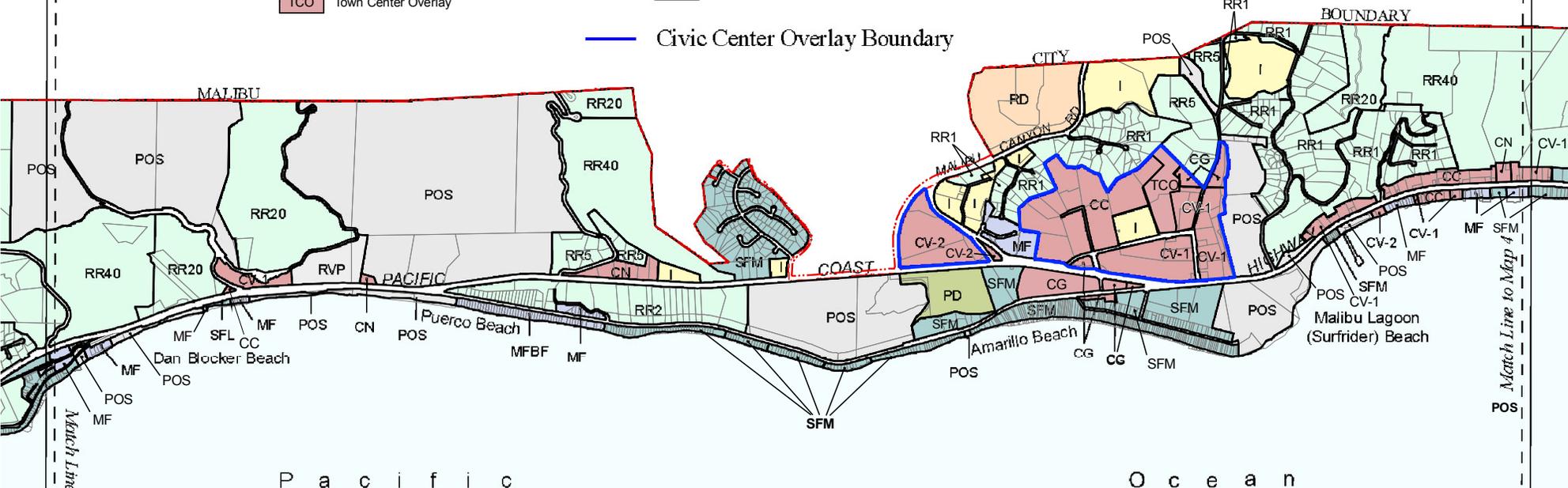
Land Use Designations

CC	Community Commercial
CG	Commercial General
CN	Commercial Neighborhood
CV1	Commercial Visitor Serving 1
CV2	Commercial Visitor Serving 2
I	Institutional
TCO	Town Center Overlay

PD	Planned Development
MF	Multi-Family Residential - 6 du/acre
MFBF	Multi-Family Beach Front
POS	Public Open Space
RD	Industrial/R&D
RVP	Recreational Vehical Park
RR1	Rural Residential - 1 du/acre

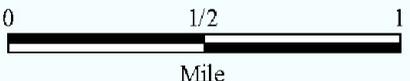
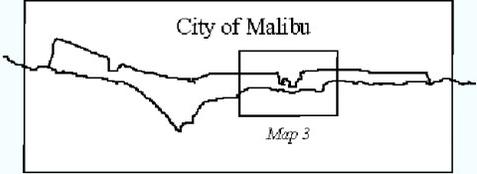
RR2	Rural Residential - 1 du/2 acres
RR5	Rural Residential - 1 du/5 acres
RR20	Rural Residential - 1 du/20 acres
RR40	Rural Residential - 1 du/40 acres
SFL	Single Family Low - 2 du/acre
SFM	Single Family Medium - 4 du/acre

— Civic Center Overlay Boundary



P a c i f i c

O c e a n



Sources: CCC Public Access Database, Malibu/Santa Monica Mountains Area Plan, LA County Parks and Recreation, 1983.

DSM, Revised 8/02

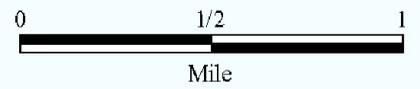
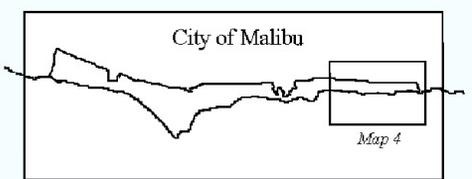
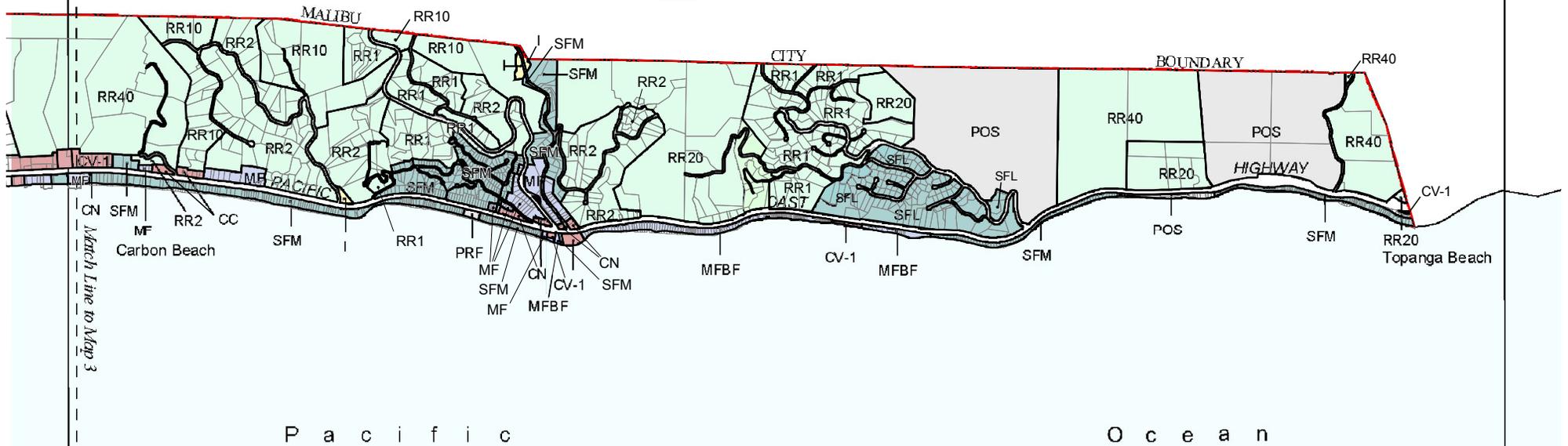


Local Coastal Program - City of Malibu

Zoning Map 4: Carbon Beach to Topanga Beach

Zoning Designations

 CC	Community Commercial	 MFBF	Multi-Family Beach Front	 RR10	Rural Residential - 1 du/10 acres
 CN	Commercial Neighborhood	 POS	Public Open Space	 RR20	Rural Residential - 1 du/20 acres
 CV1	Commercial Visitor Serving 1	 PRF	Private Recreational Facilities	 RR40	Rural Residential - 1 du/40 acres
 I	Institutional	 RR1	Rural Residential - 1 du/acre	 SFL	Single Family Low - 2 du/acre
 MF	Multi-Family Residential - 6 du/acre	 RR2	Rural Residential - 1 du/2 acres	 SFM	Single Family Medium - 4 du/acre
		 RR5	Rural Residential - 1 du/5 acres		



Sources: CCC Public Access Database, Malibu/Santa Monica Mountains Area Plan, LA County Parks and Recreation, 1983.

DSM, Revised 8/02