

## **CHAPTER 30.51 – PARKING USE PERMIT**

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### **30.51.010 – Purpose**

This Chapter provides a process for the discretionary review of proposed parking facilities that are not located on the same site as the land uses they serve, as well as for off-site loading facilities for vehicle dealerships, to ensure compliance with the basic health, safety and community welfare standards, while providing opportunities of suitable alternatives to on-site parking or loading.

### **30.51.020 – Applicability**

A parking use permit shall be required for the following:

- A. Off-site parking facilities which are secured by a lease may be used to satisfy the parking requirements for a proposed use established by Chapter 30.32 (Parking and Loading Standards), only where those additional spaces are required due to a change of use, pursuant to Section 30.32.030. Off-site parking spaces secured by a covenant may be used to satisfy parking requirements for a change of use or for new construction, or for off-site loading spaces for vehicle dealerships;
- B. A commercial parking facility serving the general public that charges a parking fee;
- C. The sharing of parking facilities by adjacent or nearby uses on parcels under separate ownership; and
- D. The use of excess parking (parking spaces on a site that are in excess of the number required by this Zoning Ordinance for the uses on the site) by off-site uses or activities, in order to satisfy Chapter 30.32 (Parking and Loading), or as excess parking for those off-site uses, or as commercial parking.

### **30.51.030 – Authority**

- A. For projects outside of redevelopment project areas, the Director of Community Development may grant parking use permits for which there is no public hearing. The Hearing Officer may grant parking use permits when, in the opinion of the Director of Community Development, additional public input and public notice are desirable because of the location, operation or other characteristic of the proposed off-site or shared parking or off-site loading for vehicle dealerships, and the Director of Community Development has required a public hearing on the parking use permit request or when a surface parking lot used as an off-site facility is directly adjacent to a residential use or to an alley separating the parking lot from a residential use. The Director of Community Development or the

Hearing Officer, as applicable, may grant a parking use permit upon making the findings of fact listed below and may impose conditions to safeguard and protect the public health, safety and promote the general welfare. If a conditional use permit or variance is requested along with a parking use permit, the Director of Community Development may refer the decision on the parking use permit to the Hearing Officer to consolidate the hearings for the two permits. In cases involving a parking use permit and variance related to a use, the Director of Community Development may authorize the entitlement requests to be considered by the Planning Commission rather than both the Hearing Officer and the Planning Commission.

- B. For projects located entirely or partially in the DSP zone, outside of redevelopment project areas, for which an associated application for design review is required for which the Glendale City Council is the design review authority, the Director of Community Development may grant parking use permits for which there is no public hearing. The City Council may grant parking use permits when, in the opinion of the Director of Community Development, additional public input and public notice are desirable because of the location, operation or other characteristic of the proposed off-site or shared parking or off-site loading for vehicle dealerships, and the Director of Community Development has required a public hearing on the parking use permit request or when a surface parking lot used as an off-site facility is directly adjacent to a residential use or to an alley separating the parking lot from a residential use. The Director of Community Development or the City Council, as applicable, may grant a parking use permit upon making the findings of fact listed below and may impose conditions to safeguard and protect the public health, safety and promote the general welfare. If a conditional use permit or variance is requested along with a parking use permit, the Director of Community Development may refer the decision on the parking use permit to the City Council to consolidate the hearings for the two cases.
  
- C. For projects within redevelopment project areas, the Director of Community Development may grant parking use permits for which there is no public hearing. The Director of Community Development may refer the application to the Glendale Redevelopment Agency (or, if the Redevelopment Agency is suspended or eliminated, the City Council) when, in the opinion of the Director of Community Development, additional public input and public notice are desirable because of the location, operation or other characteristic of the proposed off-site or shared parking or off-site loading for vehicle dealerships, and the Director of Community Development has required a public hearing on the parking use permit request or when a surface parking lot used as an off-site facility is directly adjacent to a residential use or to an alley separating the parking lot from a residential use. The Director of Community Development or the Glendale Redevelopment Agency (in the event the redevelopment Agency is suspended or eliminated, the review authority shall be the City Council), as applicable, may grant a parking use permit upon making the findings of fact listed below and may impose conditions to safeguard and protect the public health, safety and promote the general welfare. If a conditional use permit or variance is requested along with a parking use permit, the Director of Community Development may refer the decision on the parking use permit to the City Council to consolidate the hearings for the two cases.

**30.51.040 – Findings of Fact**

- A. Off-Site Parking and Shared Parking. A parking use permit for the use of off-site parking facilities to satisfy the parking-requirements for a proposed use; or to fulfill code required parking by adjacent or nearby uses on parcels under separate ownership; or for the sharing of parking facilities by adjacent or nearby uses on parcels under separate ownership shall be granted only if the reviewing authority first finds that each of the following exists:
  - 1. The off-site parking spaces are completely located within a 1000-foot radius measured from the

primary entrance to the site. The reviewing authority may approve off-site parking spaces with valet service or parking spaces for employees located more than 1000 feet from the primary entrance to the site where the separation remains reasonable for walking or pedestrian-oriented features of the intervening distance make walking between the two sites reasonable.

2. The applicant shall provide evidence of a valid lease or a covenant satisfactory to the City Attorney. All leases subject to this provision shall have a minimum termination period of not less than ninety (90) days.
  3. The applicant has demonstrated that the off-site parking will be available to the use, and that no substantial conflict will exist in the principal hours or periods of peak parking demands of any uses which are proposed to share the parking.
  4. Access to the site is adequate to accommodate the proposed off-site parking and any resulting excess traffic to the facility.
  5. The design, location, size and operating characteristics of the proposed off-site parking are compatible with the existing and future land uses on-site and in the vicinity of the subject property;
  6. The establishment, maintenance, or operation of the proposed parking at the location proposed does not endanger, jeopardize, or otherwise constitute a nuisance persons residing or working in the neighborhood of the proposed parking lot or structure;
  7. Any off-site parking spaces in close proximity to residential uses must be designed and operated to comply with the City's noise requirements in Chapter 8.36 of the Municipal Code.
  8. Any proposed valet parking use will not generate excessive traffic on surrounding public streets and shall not utilize any residential street.
  9. For shared parking, different peak hour parking demands existing between the separate uses or a single trip is likely to be made to two or more of the businesses proposed to share the parking.
- B. This sub-section concerns the use of parking spaces which are not and will not be used to fulfill the parking requirement under this Chapter for any on-site or off-site land use. A parking use permit for a commercial parking facility serving the general public which charges a parking fee; or for the use of excess parking as commercial parking shall be granted only if the reviewing authority first finds that each of the following exists:
1. Access to the site is adequate to accommodate the proposed parking use and the traffic that the facility would reasonably be expected to generate.
  2. The design, location, size and operating characteristics of the proposed parking use are compatible with the existing and future land uses on-site and the in the vicinity of the subject property;
  3. The establishment, maintenance, or operation of the proposed parking use at the located proposed does not endanger, jeopardize, or otherwise constitute a menace to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed parking lot or structure;

4. Where the parking spaces are new, and in close proximity to residential uses, they are designed and operated to comply with the City’s noise requirements in Chapter 8.36.
  5. Any proposed valet parking use will not generate excessive traffic on surrounding public streets and shall not utilize any residential street.
- C. Off-Site Loading for Vehicle Dealerships. A parking use permit for off-site loading facilities for a vehicle dealership to satisfy the requirements of Section 30.32.150.A.2 shall be granted only if the reviewing authority first finds that each of the following exists:
1. The off-site loading is located on an approved parking lot or structure;
  2. The applicant shall provide evidence of a valid lease or a covenant satisfactory to the City Attorney. Any lease shall have a minimum termination period of ninety (90) days.
  3. Access to the site is adequate to accommodate the proposed off-site loading and any resulting excess traffic to the facility.
  4. The design, location, size and operating characteristics of the proposed off-site loading are compatible with the existing and future land uses on-site and the in the vicinity of the subject property;
  5. The establishment, maintenance, or operation of the proposed loading at the location proposed does not endanger, jeopardize, or otherwise constitute a nuisance persons residing or working in the neighborhood of the proposed parking lot or structure;
  6. Any off-site loading spaces in close proximity to residential uses must be designed and operated to comply with the City’s noise requirements in Chapter 8.36 of the Municipal Code.

**30.51.050 – Conditions of Approval.** In granting a parking use permit for shared parking, off-site parking or loading or commercial parking use, the reviewing authority may require conditions of approval regarding:

- A. Design standards, including sound attenuation, security lighting, landscaping, general advertising and visibility of the parking site;
- B. Parking assignment plan;
- C. Access from the off-site parking to the subject business;
- D. Hours of use;
- E. Use of valet service.

**30.51.060 – Acceptance of Affidavit Required**

A parking use permit may not be implemented and is not valid until and unless the owner of the property for which a parking use permit has been requested signs a notarized affidavit in a form acceptable to the City Attorney accepting the permit and all its conditions; records the document against the property with the Los Angeles County Assessor’s Office; and provides proof to the City of such recording.

**30.51.070 – Authorization for Initiation, Application Filing and Filing Fees**

For authorization for initiation, application filing and filing fees, see Chapter 30.40

**30.51.080 – Public Hearing and Notice**

For public hearing and notice, see Chapter 30.61

**30.51.090 – Appeal and Reconsideration Procedures**

For appeals procedure, see Chapter 30.62. Where the council has, acting as the initial review authority, approved or denied a parking use permit for a project in a redevelopment project area or in the DSP Zone outside of a redevelopment project area, any interested person may make a written request for a council rehearing in accordance with Section 2.88.060 of the Glendale Municipal Code.

**30.51.100 – Duration of Parking Use Permit**

For duration of parking use permits, see Chapter 30.41