STAFF REPORT
CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: David Ott, City Manager
MEETING DATE: July 8, 2009
ORIGINATING DEPT: Community Development Department
SUBJECT: Adopt (2nd Reading) Ordinance 406 - Reduce Parking Requirement for Barber and Beauty Shops

BACKGROUND:
On June 24, 2009, the City Council introduced Ordinance 406, which would amend section 17.52.040 A to reduce the parking requirements for barber and beauty shops to 1 space per 200 sq. ft. of gross floor area.

The Solana Beach Municipal Code (SBMC) sets forth parking requirements for various off-street parking and loading facilities to meet the parking needs created by specific uses and to insure their proper design, location and usefulness. SBMC Section 17.52.040 (A) sets forth parking requirements for barber shops and beauty parlors as follows:

"Barber-shop/beauty-parlor 2 spaces for each barber chair, 3 spaces for each beautician station."

As such, this section of the code contains an anomaly, requiring one more parking space for each beautician station than is required for each barber chair. Staff has consistently received comments from hair salon applicants in the past few years regarding the disparity of this particular code section. It also appears that the basis for the required number of parking spaces for both uses is different than many other cities in the region require. Staff has prepared this report to discuss the issue, including a review of other adopted parking requirements in the region for comparison. Further, Staff is recommending modification of the provisions for barber shops and beauty parlors in the code and has prepared an amendment to the municipal code which would resolve this disparity. Instead of continuing to require a specific number of parking spaces per chair, a square footage based parking requirement for barber shops and beauty parlors is proposed. This is consistent with the approach that other cities in the region have adopted.

CITY COUNCIL ACTION:


AGENDA ITEM
C.8.
**DISCUSSION:**

On June 24, 2009, Ordinance 406 was introduced and is being presented for final adoption.

The zoning regulations in SBMC 17.52.040 set forth the requirements for on site parking for various general commercial uses as follows:

"**Commercial, General** (Retail trade, neighborhood commercial, personal and household services, business services)

All multitenant commercial centers and all freestanding general commercial uses not listed below

<table>
<thead>
<tr>
<th></th>
<th>Requirement</th>
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<tbody>
<tr>
<td>Less than 25,000 sf.</td>
<td>1 space for each 200 sf. of gfa.</td>
</tr>
<tr>
<td>25,001 to 250,000 sf.</td>
<td>1 space for each 225 sf. of gfa.</td>
</tr>
<tr>
<td>250,001 and greater</td>
<td>1 space for each 250 sf. of gfa.</td>
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Building supply/ furniture/appliance stores

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<tr>
<td></td>
<td>1 space for each 250 sf. of gfa. of sales floor area, plus 1 space for each 800 sf. of gfa. of warehouse storage area.</td>
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Retail nursery/garden shop

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<td>1 space for each 250 sf. of indoor display area, plus 1 space for each 800 sf. of outdoor display area.</td>
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Art/dance studio

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<th>Requirement</th>
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<td>1 space per employee, plus 1 space per two students at maximum capacity.</td>
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Barber shop/beauty parlor

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<tr>
<td></td>
<td>2 spaces for each barber chair, 3 spaces for each beautician station.</td>
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Business/professional/ trade schools

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<td></td>
<td>1 space per employee, plus 1 space per 2 students at maximum capacity.</td>
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Mortuaries and funeral homes

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<th>Requirement</th>
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<tbody>
<tr>
<td></td>
<td>1 space for each 4 fixed seats, or 1 space for each 35 sf. for non-fixed seating area in the principal sanctuary, whichever is greater.</td>
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</table>

The requirement for 2 spaces for each barber chair is likely related to an assumption that each patron and each barber would be provided a parking space for this type of use. The requirement for three spaces per chair for beauty parlors appears to Staff to be an inequitable code requirement, which should be corrected.

Staff contacted several other cities in the region to determine whether they had similar requirements for this type of use. None of the other cities in the region that were surveyed specify a number of parking spaces per barber chair or beauty station as the City of Solana Beach does. Instead, the cities of Carlsbad, Chula Vista, Coronado, Del Mar, Encinitas, Oceanside and Poway refer to their general commercial tenant requirements and utilize a ratio of gross floor area of the store or shop to the number of on site parking requirements. The provisions range from the highest parking requirement of 1 parking space per 200 sq. feet of shop space in the City of Chula Vista to the lowest requirement of 1 parking space per 500 sq. feet of shop space in the City of Coronado (Attachment 2).
Staff notes that Coronado’s parking ratio most likely pushes parking for these uses into the street where metered parking is available and the surrounding residential neighborhoods, which is not metered.

The provisions for other general commercial uses in the SBMC are noted above, and range from 1 parking space per 200 sq. ft. of retail space to 1 per 250 sq. ft. Most, if not all, barber and beauty shops are in tenant spaces which are less than 25,000 square feet, and most fall within the multitenant use category. Staff proposes modifying the requirement for both barber and beauty shops to 1 parking space per 200 square feet which is the same parking ratio currently prescribed in the SBMC for general commercial uses and multi tenant spaces which are less than 25,000 sq. ft in the general commercial use category.

Assuming an estimate of 1 chair or station per 200 square feet of gross floor area of shop space, the proposed code requirement would reduce the parking requirement to approximately 1 parking space per chair or station, instead of 2 or 3 spaces currently required in the municipal code for barber and beauty shops respectively. This compares to parking requirements in other cities that are the same or lower for these uses, (i.e. 1 space per 200 square feet of shop area down to 1 space per 500 square feet of shop area).

This proposed ordinance amendment, if adopted, would reduce the number of required parking spaces for both barber and beauty shops to an amount that is comparable with other cities in the region. For example, a barber or beauty shop that is 1,200 square feet would have an on site parking requirement of one parking space per 200 square feet, or 6 on site parking spaces.

Staff estimates that this ratio should be adequate to provide on site parking for this type of use allowing for the uses typical in the City’s commercial centers, the demand variations during the day on scheduling for appointments and staffing hours. As such staff has prepared a draft ordinance (Attachment 1) amending the applicable section of the code to reflect a requirement of 1 parking space per 200 feet for barber shops and beauty parlors alike.

Amendments to SBMC Title 17 may be adopted only if the City Council finds that the proposed amendment is consistent with the General Plan and the proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

Staff has reviewed all of the elements of the General Plan, and the proposed amendments can be found to be consistent with all of the policies in it as follows:

The classification of circulation element streets and calculation of Average Daily Traffic (ADT) is determined based on SANDAG’s Trip Generation charts. The proposed adjustment to the parking requirements will not impact the trip generation calculations and therefore, no adjustments are proposed for trip generation calculation. Therefore, the proposed adjustments are consistent with the circulation element of City’s General Plan.
In addition, the amendments are consistent with the Land Use Element and Economic Development Element which contain policies that discuss encouraging the development of commercial land uses which strengthen the city’s economic base and offer a range of commercial enterprises to meet the needs of residents and visitors.

The Economic Development Element Policy 2.a States: “The City shall ensure the provision of adequate parking facilities to serve new commercial development.”

This finding can be made. The provision in the Municipal Code for parking is proposed to be amended commensurate with the most restrictive requirement found in other cities surveyed in the region. In addition it is consistent with the current parking requirements in SBMC code for commercial uses.

In conclusion, Staff recommends the proposed ordinance for adoption.

**CEQA COMPLIANCE STATEMENT:**
This action does not fit the description of a “project” under California Environmental Quality Act (CEQA) pursuant to Public Resource Code section 21065.

**FISCAL IMPACT:** N/A

**WORKPLAN:** "Update Business District Parking Regulations" is listed on page 10 of the Workplan.

**OPTIONS:**
· Approve staff recommendation.
· Approve staff recommendation with alternative amendments / modifications.
· Deny staff recommendation.

**DEPARTMENT RECOMMENDATION:**
Staff recommends that the City Council:

1. Adopt Ordinance 406, amending Solana Beach Municipal Code section 17.52.040 A to reduce the parking requirements for barber and beauty shops to 1 space per 200 sq. ft. of gross floor area.

**CITY MANAGER’S RECOMMENDATION:**
Approve Department Recommendation

David Ott, City Manager

Attachment:
1. Ordinance 406
ORDINANCE 406

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, AMENDING SECTION 17.52.040 OF THE SOLANA BEACH MUNICIPAL CODE TO REDUCE THE PARKING REQUIREMENT FOR BARBER AND BEAUTY SHOPS

WHEREAS, the City Council adopted Ordinance No. 185, on November 1, 1993 adopting the City of Solana Beach Municipal Code; and

WHEREAS, the Solana Beach Municipal Code Section 17.52.040 contains provisions for required automobile parking to provide for off-street parking and loading facilities to meet the parking needs created by specific uses and to insure their proper design, location and usefulness to protect the public safety and, where appropriate, to buffer and transition surrounding land uses from their impact; and

WHEREAS, the City Council desires that the Solana Beach Municipal Code be amended to revise the parking regulations for barber shops and beauty shops to correct the disparate regulations of the parking requirement; and

WHEREAS, the City has surveyed other surrounding cities in the region and determined that these cities have requirements for parking for this type of use ranging from 1 space per 200 square feet of gross floor area to 1 space per 500 square feet of gross floor area and has determined that the methodology for calculating parking spaces should be amended to be by gross square footage and not by the number of barber chairs or beautician stations; and

WHEREAS, the City Council finds that the proposed amendments to Chapter 17.52 are consistent with the General Plan, and the proposed amendments will not be detrimental to the public interest, health, safety, convenience or welfare of the City.

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

Section 1. This Ordinance is consistent with the General Plan and will not be detrimental to the public interest, health, safety, convenience or welfare of the City; and

Section 2. Section 17.52.040 of the Solana Beach Municipal Code is hereby amended as follows:

Section: 17.52.040 - Parking requirements - Commercial, General

Commercial, General (Retail trade, neighborhood commercial, personal and household
services, business services)
All multitenant commercial centers and all freestanding general commercial uses not listed below

Less than 25,000 sf.
25,001 to 250,000 sf.
250,001 and greater
Building supply/ furniture/appliance stores
Retail nursery/garden shop
Art/dance studio
Barber and beauty shops
Business/professional/ trade schools
Mortuaries and funeral homes

1 space for each 200 sf. of gfa.
1 space for each 225 sf. of gfa.
1 space for each 250 sf. of gfa.
1 space for each 250 sf. of gfa. of sales floor area, plus 1 space for each 800 sf. of gfa. of warehouse storage area.
1 space for each 250 sf. of indoor display area, plus 1 space for each 800 sf. of outdoor display area.
1 space per employee, plus 1 space per two students at maximum capacity.
1 space per 200 sf of gfa.
1 space per employee, plus 1 space per 2 students at maximum capacity.
1 space for each 4 fixed seats, or 1 space for each 35 sf. for non-fixed seating area in the principal sanctuary, whichever is greater.
Section 3. The provisions of this ordinance are declared to be severable and if any provision, sentence, clause, section or part of this ordinance is held illegal, invalid, unconstitutional or inapplicable to any person or circumstances, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance or their application to persons and circumstances.

EFFECTIVE DATE: This Ordinance shall be effective thirty (30) days after its adoption. Within fifteen (15) days after its adoption, the City Clerk of the City of Solana Beach shall cause this Ordinance to be published pursuant to the provisions of Government Code §36933.

INTRODUCED AND FIRST READ at a regular meeting of the City Council of the City of Solana Beach, California, on the 24th day of June 2009:

THEREAFTER ADOPTED at a regular meeting of the City Council of the City of Solana Beach, California, on the 8th day of July, 2009;

AYES: Councilmembers –
NOES: Councilmembers –
ABSTAIN: Councilmembers –
ABSENT: Councilmembers –

MIKE NICHOLS, Mayor

APPROVED AS TO FORM:

JOHANNA N. CANLAS, City Attorney

ATTEST:

ANGELA IVEY, City Clerk