

STAFF REPORT
City of Lancaster

CC 5
12/13/16
MVB

Date: December 13, 2016

To: Mayor Parris and City Council Members

From: Britt Avrit, CMC, City Clerk

Subject: **Consideration of adoption of Ordinance No. 1016**

Recommendation:

Adopt **Ordinance No. 1016**, amending Title 17 of the Lancaster Municipal Code by deleting minimum off-street parking requirements in the C (Commercial) and CPD (Commercial Planned Development) zones.

Fiscal Impact:

None.

Background:

The City Council originally considered this matter on September 27, 2016.

The original proposed amendment to Title 17 would eliminate the current off-street parking ratio requirements in the C and CPD zones. In place of these, the ordinance would establish that responsibility for determination of the number of off-street parking spaces rests with the developer, property owner, or authorized agent. The one exception to this is for assembly uses, such as churches, which at this point would remain subject to Director’s Review, primarily because these uses have the potential to create high demand within relatively short periods of time. To the extent that on-site parking is provided, it would still need to meet City requirements for surfacing and marking of spaces. The primary reason for proposing this change is to shift the determination of off-street parking need from a calculation based on an arbitrary concept of “convenience” to one more grounded in the realities of market demand. In recommending this approach, staff has concluded that, despite good intentions, the City’s regulatory approach has far more potential for negative outcomes than placing this responsibility in the hands of the private market.

Following discussion at the September 27, 2016 City Council meeting, the Council continued the matter to October 25, 2016 and directed staff to consider language that would provide the ability of the City to act to prevent potential abuse of this approach. The ordinance proposed at the October 25, 2016 City Council meeting requires the developer, property owner, or authorized agent making the parking determination to provide, to the satisfaction of the Development Services Director or the Planning Commission (depending on the designated approval authority), justification to support the determination. Staff feels that the proposed modification provides the necessary safeguards, while retaining the benefits associated with this overall approach, as outlined in the Council staff report of September 27, 2016, and recommended that the Council introduce the Ordinance as amended eliminating minimum parking requirements in the City's C and CPD zones.

At the October 25, 2016 City Council meeting, the City Council approved the introduction of Ordinance No. 1016 by the following vote:

AYES: Council Members Malhi, Underwood-Jacobs, Vice Mayor Crist, Mayor Parris
NOES: None
ABSTAIN: None
ABSENT: Mann

Attachment:
Ordinance No. 1016