

ORDINANCE NO. 1354

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TUSTIN, ADDING PART 6 TO CHAPTER 2 OF ARTICLE 9 OF THE TUSTIN CITY CODE ESTABLISHING OFF-STREET PARKING REQUIREMENTS TO ENSURE THAT SUFFICIENT OFF-STREET PARKING FACILITIES ARE PROVIDED FOR ALL USES AND THAT PARKING FACILITIES ARE PROPERLY DESIGNED AND MAINTAINED, AND AMENDING TUSTIN CITY CODE SECTIONS 9221 TO 9228, 9231 TO 9235, 9241, 9242, 9251, 9271, 9297, AND 9299

The City Council of the City of Tustin does hereby ordain as follows:

Section I. The City Council finds and determines as follows:

- A. That the proposed amendment to the Tustin City Code is necessary to strengthen, clarify and consolidate City of Tustin off-street parking standards and parking design guidelines.
- B. That the proposed code amendment is regulatory in nature and would provide for more comprehensive implementation and enforcement of parking requirements and standards.
- C. That the City of Tustin has a substantial interest in protecting the aesthetic appearance, public health and safety, and harmony of the community by providing strengthened, clarified, and consolidated off-street parking requirements and standards that address off-street vehicle storage, parking availability, driveway design, and parking locations on private property.
- D. That on October 16, 2007, and March 18, 2008, the Tustin City Council held public workshops on the issues related to on-street parking and concluded that it was in the community's interest to ensure that available off-street parking be utilized and maintained.
- E. That on April 15, 2008, the Tustin City Council held a public hearing and directed staff to prepare a comprehensive parking ordinance.
- F. That on May 27, 2008, a public hearing was duly noticed, called, and held on Code Amendment 08-001 by the Planning Commission. The Planning Commission recommended that the City Council approve Code Amendment 08-001 by adopting Resolution No. 4091.

- G. That on September 15, 2008, the Tustin City Council held an additional public workshop on the issues related to on-street and off-street parking.
- H. That the proposed amendment is considered a “project” subject to the terms of the California Environmental Quality Act (“CEQA”).
- I. That the proposed code amendment is reasonably necessary to protect the health, safety, and welfare of the citizens of the City of Tustin.
- J. That the proposed amendment is consistent with the Tustin General Plan in that it complies with the following goals and policies:

Goal 4: Assure a safe, healthy, and aesthetically pleasing community for residents and businesses.

Policy 4.3: Where mixed uses are permitted, ensure compatible integration of adjacent uses to minimize conflicts.

Policy 4.6: Maintain and enhance the quality of healthy residential neighborhoods, and safeguard neighborhoods from intrusion by non-conforming and disruptive uses.

Policy 5.6: Promote vigorous enforcement of City codes, including building, zoning, and health and safety, to promote building and property maintenance. Prioritize the Southwest area of the City for code enforcement.

Policy 6.12: Review and revise, as necessary, the City’s development standards to improve the quality of new development in the City and to protect the public health and safety.

Section II. Article 9 of the Tustin City Code is hereby amended as follows:

The following sections are hereby repealed in their entirety:

9221a1.(i)	9223a6.(j)	9224g9.	9226a1.(k)
9221a1.(j)	9223a7.(j)	9225a1.(g)	9226a2.(j)
9221b1.(h)	9223a7.(k)	9225a1.(h)	9226a2.(k)
9222a1.(i)	9223b1.(h)	9225a2.(i)	9226b2.(h)
9222a1.(j)	9224b7.(Off-street	9225a2.(j)	9226b2.(i)
9222a5.(j)	parking)	9225b1.(i)	9226b3.(h)
9222a5.(k)	9224e6.	9225b1.(j)	9226b4.(h)
9222b1.(h)	9224e7.	9225b2.(g)	9226b4.(i)
9223a1.(i)	9224e8.	9225b2.(k)	9226b5.(g)
9223a1.(j)	9224g7.	9226a1.(j)	9226b5.(j)

9227b6.	9232b(b)(1)	9233d(2)	9241c(i)
9227b12.	9232b(j)(6)	9234b(g)	9241c(j)
9228b4.(g)	9232b(k)(7)	9234b(h)	9242c(c)
9228b5.(g)	9232b(k)(8)	9234c(2)(a)	9242c(d)
9228b5.(j)	9232b(l)(1)	9234c(2)(b)	9251b3.
9228c7.	9232c(2)(f)	9234d(g)	9271g
9228c8.	9232c(2)(g)	9234d(h)	9271k
9231b7.	9233b(6)	9234e(1)(h)	9271n(6)
9231b8.	9233b(7)	9234e(1)(i)	9271aa
9231b9.	9233c(d)(1)	9235f(3)	9271bb
9231c1.(c)	9233c(m)(6)	9235f(9)	
9231c1.(e)	9233c(m)(10)	9241c(h)	

Section 9297 definitions regarding “Carport,” “Driveway,” “Garage, Private,” and “Parking Space,” are hereby repealed in their entirety.

Section 9231d1. Is hereby amended to read as follows:

1. Professional, instructional, motivational and/or seminar schools.

~~Off-street parking requirements for these uses shall be as follows: 1 space for each 2 students at maximum enrollment and 1 space for each instructor; or, 1 space for each 50 square feet of occupied area, whichever is greater.~~

Section 9232c(1) is hereby amended to read as follows:

- (1) None of the above listed uses or any other use determined to be permitted shall maintain any outside storage or work areas. ~~Nor shall there be any storage of any commercial vehicle normally associated with any of the permitted uses. Provided further that any use permitted herein requiring such vehicle shall provide a permanent parking and/or loading space for such vehicle.~~

Section 9233d(1) is hereby amended to read as follows:

- (1) As specified in section 9233b above, unless otherwise indicated, ~~with rear yard and off-street parking requirements as specified in the use permit.~~

Section 9235d(4) is hereby amended to read as follows:

- (4) None of the above listed uses or any other use determined to be permitted shall maintain any outside storage or work areas. ~~Nor shall there be any storage of any commercial vehicle normally associated with any of the permitted uses. Provided further than any use permitted herein requiring~~

~~such vehicle shall provide a permanent parking and/or loading space for such vehicle.~~

Section 9242b(h) is hereby amended to read as follows:

- (h) Professional, instructional, motivational and/or seminar schools.

~~Off street parking for the uses shall be as follows: One (1) space for each two (2) students at maximum enrollment and one (1) space for each instructor; or one (1) space for each 50 square feet of occupied area, whichever is greater. If, however, classes are limited to children under 16 years of age the parking requirements shall be as follows: One (1) space for each instructor plus one (1) loading space for each eight (8) children.~~

Section 9299b(1)(h) is hereby amended to read as follows:

- (h) An increase of not more than ten (10) percent in the maximum permitted ~~driveways~~ driveway area within the front yard setback for residential districts or the front yard for commercial and industrial districts.

Section 9299b(1)(i) is hereby added to read as follows:

- (i) A decrease in the number of required off-street parking spaces for residential land uses by a maximum of one parking space. When a second residential unit is being added under the provisions of Section 9222 or 9223, parking shall be in accordance with the requirements of those sections.

Section 9299c(3)(a) is hereby amended to read as follows:

- (a) Minor adjustments shall be granted only when such adjustments are found to be in conformance with the General Plan and when, because of special circumstances applicable to the property, including size, shape, topography, or surroundings, the strict application of the Zoning Ordinance is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification. Any minor adjustment granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and district in which the subject property is situated.
- (1) Minor adjustment to reduce the required amount of nonresidential parking shall be granted only when, in addition to the findings in Section 9299c(3)(a) above, the following findings can also be made:

- ~~(1)(a)~~ The intent of the parking regulations is preserved;
- ~~(2)(b)~~ The parking provided will be sufficient to serve the use intended and potential future uses of the same site; and
- ~~(3)(c)~~ The adjusted decrease in the number of parking spaces shall not be detrimental to the public health, safety or general welfare or materially injurious to properties located in the general vicinity.

(2) Minor adjustment to reduce the required amount of residential parking shall be granted only when, in addition to the findings in Section 9299c(3)(a) above, the findings in Section 9264B. can also be made.

Part 6 is hereby added in its entirety to Article 9, Chapter 2 of the Tustin City Code to read as follows:

#### PART 6 OFF-STREET PARKING

- 9260 - Purpose
- 9261 - Applicability
- 9262 - General Parking Regulations
- 9263 - Off-Street Parking Required
- 9264 - Reduction of Off-Street Parking Requirements
- 9265 - Transportation Demand Management (TDM)
- 9266 - Development Standards for Off-Street Parking
- 9267 - Driveways and Site Access
- 9268 - Off-Street Loading Space Requirements
- 9269 - Definitions

a. **9260 - Purpose**

The purpose and intent of this Chapter is to ensure that sufficient off-street parking facilities are provided for all uses and that parking facilities are properly designed and maintained.

b. **9261 - Applicability**

Except as otherwise provided in this section, every use, including a change or expansion of a use or structure shall have appropriately maintained off-street parking and loading areas in compliance with the provisions of this Section. A use shall not be established and structures shall not be occupied until improvements required by this Section are satisfactorily completed.

A. Section 9252: Cultural Resource District (CR) standards shall take precedence where applicable.

B. Standards established in an adopted Specific Plan, Planned Community, Development Agreement, or similar governing document, shall take precedence where applicable.

c. **9262 - General Parking Regulations**

A. Minimum Parking Requirements:

1. There shall be provided at the time of establishment of use and/or occupancy of any building or structure a minimum number of off-street parking and loading spaces as required in this chapter for said use, building and/or structure with adequate provision for safe ingress and egress.
2. Parking and loading spaces provided shall be designed in conformance with this section.
3. Parking and loading spaces may not be located within any front or side setback area, except as provided in this Code.
4. Parking of vehicles on an unpaved surface is prohibited, except when approved by a Temporary Use Permit.

B. Availability:

1. Required off-street parking areas and access ways shall be made permanently accessible, available, marked and maintained for the purposes of temporary vehicle parking and access only. Required parking and access ways shall not be:
  - a. Rented, let, or used for storage of property, or used to park an inoperative or non-motorized vehicle, or otherwise be blocked in any manner that would impede access to or the use of any required parking space for the temporary parking of vehicles. A vehicle parked on private residential property belonging to or occupied by the owner of such vehicle for the purpose of temporarily displaying them for sale shall be exempt from this prohibition, provided such temporary display does not exceed ninety (90) days in any calendar year.
  - b. Used for overnight parking except by residents or tenants with the authorization of the property owner.
2. Required residential parking spaces shall be subject to the following:

- a. Residents shall not store or park any non-motorized vehicles in any parking space, driveway, or private street area except for the purpose of loading, unloading, making deliveries or emergency repairs.
  - b. Garages shall be available for the parking of vehicles. Storage of personal items may occur in a garage only to the extent that such storage does not impede vehicle parking nor reduce the number or required minimum size of the required garage space.
3. Required non-residential parking spaces shall be permanently available for tenants, employees, customers and guests having lawful reason to be at the premises for which the parking is required. In the absence of prior approval from the Community Development Director, it is unlawful for any owner, lessee, tenant, or any persons having control of the operation of the premises to prevent, prohibit, or restrict authorized persons from using the required parking.
- C. Maintenance: It shall be the duty of the property owner to maintain and repair required parking areas and associated improvements in accordance with this Code and any other conditions imposed at the time of approval. Parking spaces, driveways, maneuvering aisles, paving, light standards, walls, turnaround areas, landscaping and other improvements shall be maintained in a good condition and be free of debris, graffiti, and litter.
- d. **9263 – Off-Street Parking Required**

Each land use shall provide at least the minimum number of off-street parking spaces required by this Section, except where a greater number of spaces are required through a land use entitlement approval or where an exception has been granted in compliance with Section 9264 (Reduction of Off-Street Parking Requirements).

- A. Expansion of any structure or change in use. When a structure is enlarged or increased in capacity or intensity, or when a change in use requires more off-street parking, additional parking spaces shall be provided for the proposed change in compliance with this Section.
- B. Mixed-use/multi-tenant developments. Except as provided in Section 9264A, whenever two (2) or more uses identified in this chapter exist within separate tenant spaces on the same site or within the same building:
  1. The number of parking spaces required of each separate tenant space shall be determined separately at the rates established in this chapter for each use.

2. Except as provided in section 9263B.3., parking for ancillary activities or uses within all zoning classifications shall be provided at the parking ratio required of the primary use.
  3. Within the PM and M zoning classifications, ancillary activities or uses within a single tenant space not exceeding ten (10) percent of the tenant's gross floor area shall be calculated at the parking ratio of the primary use. Parking required for activities or uses within a single tenant space that exceed ten (10) percent of the gross floor area of the tenant space shall be determined separately at the rates established in this chapter for each use.
- C. Uses not listed. Uses not specifically listed in Section 9263G (Table 1) shall provide parking as required in a written determination by the Community Development Director on the basis of the requirements for similar uses. The Community Development Director shall use the requirements of Section 9263.G as a general guide in determining the minimum number of off-street parking spaces to be provided.
- D. Gross Floor Area. Gross floor area shall be used as a basis for calculating the number of parking spaces required in this section. Gross floor area shall be measured as the area bounded by the outer face of exterior walls including auxiliary common areas such as a hallway, lobby, and restroom.
- E. Rounding of quantities. When calculating the number of parking spaces required, any fractional space shall be rounded up to the next whole number.
- F. Company-owned vehicles. The number of parking spaces required by this Section does not include spaces for company-owned vehicles. Parking spaces for company-owned vehicles shall be provided in addition to the number of parking spaces required for the primary use.
- G. Parking requirements by land use. The minimum number of parking spaces to be provided for each use shall comply with Table 1.

TABLE 1  
PARKING REQUIREMENTS BY LAND USE

Land Use Type	Parking Spaces Required
Manufacturing and Processing	
General manufacturing, industrial uses	1 space for each 500 sq. ft. of gross floor area
Research and development, laboratories	1 space for each 500 sq. ft. of gross floor area

**TABLE 1  
PARKING REQUIREMENTS BY LAND USE**

Land Use Type	Parking Spaces Required
Warehouses and storage facilities	1 space for each 1,000 sq. ft. of gross floor for the first 20,000 sq. ft. of gross floor area and 1 space for each 2,000 sq. ft. of gross floor area for the next 20,000 sq. ft.; and 1 space for each 4,000 sq. ft. thereafter
Wholesale operations not used exclusively for storage	1 space for each 1,000 sq. ft. of gross floor area, less that area devoted to office or sales, which shall be 1 space for each 250 sq. ft. of gross floor area
<b>Recreation, Education, Public Assembly</b>	
Adult day care centers	1 space for each employee on maximum shift, plus 1 space for each 5 clients at maximum enrollment
Child day care centers	1 space for each employee and teacher on maximum shift, plus 1 space for each 5 children at maximum enrollment
Cinemas, movie theaters	1 space for each 3 fixed seats
Commercial trade or business schools, instructional	1 space for every 3 students at maximum capacity of each classroom, plus one space for each faculty member and employee
Golf courses	6 spaces for each hole; plus additional spaces for other related uses on the site
Driving ranges	1 space for each tee
Miniature golf courses	3 spaces for each hole
Indoor recreation/fitness centers	
Arcades	1 space for each 200 sq. ft. of gross floor area
Bowling alleys	5 spaces for each lane, plus required spaces for ancillary uses
Health/fitness clubs	1 space for each 150 sq. ft. of gross floor area, including swimming pool area
Pool and billiard rooms	2 spaces for each table, plus 1 space for each 250 sq. ft. of indoor gross floor area excepting the pool and billiard area, plus as required for ancillary uses

TABLE 1  
PARKING REQUIREMENTS BY LAND USE

Land Use Type	Parking Spaces Required
Skating rinks	1 space for each 150 sq. ft. of gross floor area, plus 1 space for each 250 sq. ft. of indoor gross floor area excepting the skating rink area, plus as required for ancillary uses
Libraries, museums, art galleries	1 space for each 300 sq. ft. of gross floor area
Performance theaters, meeting halls and membership organizations	1 space for each 3 fixed seats; or if no fixed seats are provided, 1 space for every 35 sq. ft. of gross assembly or viewing area
Places of assembly not specified elsewhere	1 space for each 3 fixed seats; or if no fixed seats are provided, 1 space for every 35 sq. ft. of gross assembly area, classrooms, meeting rooms, etc., based on the most intense simultaneous use
Schools (Private) Elementary, Middle, and High Schools	1 space per 3 students, plus adequate drop off/loading area as approved by the Community Development Director
Colleges/Universities (excluding related residential uses)	1 space per 3 students
Studios for dance, art, martial arts, one-on-one personal fitness	1 space for each instructor plus 1 space for each 3 students present at any one time
Tennis / racquetball / handball or other courts	1.5 spaces for each court, plus 1 space for each 250 sq. ft. of indoor gross floor area excepting the court area, plus as required for ancillary uses
<b>Residential Uses</b>	
Dormitories, fraternities, sororities, and rooming/boarding houses	1 space for each 2 beds
Duplex housing units (not within a multi-family complex)	2 spaces, within a garage, for each unit plus 1 space for open, unassigned guest parking per 4 dwelling units
Large family day care homes	1 space for each nonresident employee, in addition to the required residential spaces, plus adequate drop-off area as approved by the Community Development Director

**TABLE 1  
PARKING REQUIREMENTS BY LAND USE**

Land Use Type	Parking Spaces Required
Mobile homes (in mobile home parks)	2 covered spaces for each mobile home (tandem parking permitted in an attached carport), plus 1 guest parking space for each 10 units
Multi-family housing	2 covered spaces for each dwelling unit, plus 1 unassigned guest space for every 4 units
Second residential units	2 spaces, within a garage, in addition to that required for the primary single-family unit
Senior citizen congregate care housing	1 space for every 3 beds
Senior citizen multi-family housing	1 space for each unit with 50 percent of the spaces as covered spaces, plus 1 guest parking space for each 10 units
Single-family housing	2 spaces, within a fully enclosed garage, for each unit with 4 or fewer bedrooms, and 3 spaces, within a fully enclosed garage, for each unit with 5 or more bedrooms.
<b>Retail Trade</b>	
Automobile parts and supplies, including mobile home and vehicle machinery	1 space for each 400 sq. ft. of gross floor area
Banks and financial services	1 space for each 250 sq. ft. of gross floor area
Building materials, hardware stores, and plant nurseries	1 space for each 250 sq. ft. of indoor display area, plus 1 space for each 1,000 sq. ft. of outdoor display area
Convenience stores	1 space for each 250 sq. ft. of gross floor area
Nightclubs and dance halls	1 space for each 7 sq. ft. of dance floor area, plus 1 space for every 35 sq. ft. of additional gross floor area, plus as required for ancillary uses (restaurant, etc.)
Restaurants, cafes, cafeterias, lounges, or similar establishments for the consumption of food and beverages on the premises	1 space for each 100 sq. ft. of gross floor area, plus minimum 7 car stacking space for drive-through

TABLE 1  
PARKING REQUIREMENTS BY LAND USE

Land Use Type	Parking Spaces Required
Restaurants, delicatessens; take out only and includes ancillary uses	1 space for each 250 sq. ft. of gross floor area, plus minimum 7 car stacking space for drive-through
Retail stores: General merchandise	1 space for each 250 sq. ft. of gross floor area
Retail stores: Appliance, furniture, and bulk good stores	1 space for each 500 sq. ft. of gross floor area
<b>Service Uses</b>	
Hotels and motels	1 space for each guest room, plus 1 space for each 2 employees on largest shift, plus requirements for related commercial uses, plus 1 space for each 50 square feet of gross floor area for assembly or conference rooms.
Kennels and animal boarding	1 space for each 500 sq. ft. of gross floor area
Laundromats	1 space for every 3 washing machines or one space for each 250 sq. ft. of gross floor area, whichever is greater
<b>Medical services</b>	
Clinics, medical/dental offices	1 space for each 250 sq. ft. of gross floor area for the first 4,000 sq. ft. of medical space within a building or center and 6 spaces for each 1,000 sq. ft. of gross floor area in excess of 4,000 square feet; except for locations in the Combining Parking District (P) where 1 space for each 300 sq. ft. of gross floor area shall apply
Extended care (elderly, skilled nursing facilities, etc.)	1 space for each 4 beds the facility is licensed to accommodate
Hospitals	2 spaces for each patient bed the facility is licensed to accommodate, plus required spaces for ancillary uses as determined by the review authority
Medical/dental labs	1 space for each 300 sq. ft. of gross floor area

**TABLE 1  
PARKING REQUIREMENTS BY LAND USE**

Land Use Type	Parking Spaces Required
Offices, administrative, corporate	1 space for each 250 sq. ft. of gross floor area for the first 25,000 sq. ft. and 1 space for each 300 sq. ft. thereafter; except for locations in the Combining Parking District (P) where 1 space for each 300 sq. ft. of gross floor area shall apply
Pet grooming	1 space for each 500 sq. ft. of gross floor area
Personal services Barber/beauty shops (and other personal services: massage therapy, tanning salon)	1 space for each 250 sq. ft. of gross floor area
Service stations	1 space for each pump island, plus 4 spaces for each service bay, plus additional spaces for accessory uses
Storage, personal self-storage facilities	1 space for each 2,000 sq. ft. of gross floor area, plus 2 spaces for a resident manager
Vehicle repair and maintenance	
Auto Repair	4 spaces for each service bay, plus adequate queuing lanes for each bay
Car washes-self serve	2.5 spaces for each washing stall, for queuing and drying
Car washes-full serve	10 spaces, plus 10 spaces for each wash lane for drying area, plus queuing area for 5 vehicles ahead of each lane
Veterinary clinics and hospitals	1 space for each 250 sq. ft. of gross floor area for the first 4,000 sq. ft. of medical space within a building or center; and 6 spaces for each 1,000 sq. ft. of gross floor area in excess of 4,000 square feet.
Video rental	1 space for each 250 sq. ft. of gross floor area

**H. Disabled/Handicapped Parking Requirements. Parking areas shall include parking spaces accessible to the disabled in the following manner:**

1. Number of spaces and design standards. Parking spaces for the disabled shall be provided in compliance with the accessible parking requirements contained in the California Building Code.
2. Reservation of spaces required. Disabled accessible spaces required by this Section shall be reserved by the property owner/tenant for use by the disabled throughout the life of the approved land use.
3. Upgrading of markings required. Standards for the marking, striping, and signing of disabled parking spaces, disabled accessible spaces within the City shall be in compliance with the State standards. Upgrading to the State standards shall be completed by affected property owners within sixty (60) days of their being notified in writing by the City of new State standards, or within a time period and in a manner prescribed by State law, whichever is earlier.
4. Fulfilling of requirements. Disabled accessible parking spaces required by this Section shall count toward fulfilling off-street parking requirements.

e. **9264 - Reduction of Off-Street Parking Requirements**

- A. Joint use of parking areas. With the approval of a Conditional Use Permit, parking facilities may be used jointly for nonresidential uses with different peak hours of operation. Requests for a minor Conditional Use Permit for shared parking shall meet all of the following requirements:
  1. A parking study prepared by a California licensed traffic engineer or civil engineer experienced in the preparation of such study shall be submitted by the applicant demonstrating that no substantial conflict will exist in the peak hours of parking demand for the uses for which joint use is proposed. The methodology to be used in preparing the study shall be that promulgated by the Institute of Transportation Engineers (ITE);
  2. The number of parking spaces which may be credited against the requirements for the structures or uses involved shall not exceed the number of spaces reasonably anticipated to be available during different hours of operation;
  3. Parking spaces designated for joint use shall be located so that they will adequately serve the uses for which they are intended;
  4. A written and recorded agreement shall be drawn to the satisfaction of the City Attorney and Community Development Director and executed by all parties concerned assuring the continued availability of the number of parking spaces designated for joint use and availability of reciprocal access easements.

5. Zoning Administrator approval of a minor Conditional Use Permit is required for parking areas serving structures totaling less than thirty thousand (30,000) square feet. Planning Commission approval of a Conditional Use Permit is required for all other parking areas with joint-use parking.
- B. Historic Resource Residential Parking. When associated with a recognized historic resource, as identified in this section, the number of required off-street parking spaces may be decreased by one (1) garage or parking space upon Zoning Administrator approval of a minor adjustment per Section 9299 (Zoning Administrator). Approval of a minor adjustment can be made when all the following circumstances are found to apply:
1. The adjusted decrease is for parking that serves a residence that is currently listed or is qualified to be listed in the City's Historical Resources Survey.
  2. A minimum one-car garage is provided on-site.
  3. Providing a new garage space or access to a new garage could result in the significant alteration or demolition of any historic structure or resource listed or eligible to be listed in the City's Historical Resources Survey including historic garages that contribute to the listing of the structure or resource.
  4. New increases in square footage would not exceed one hundred fifty (150) percent of the square footage of the structure that legally existed as of the date of adoption of this Ordinance; and, the total gross floor area of the residence does not exceed two thousand (2,000) square feet, including any detached habitable space (e.g. guest house, etc.).
  5. The required number of parking spaces can be accommodated off-street outside of a fully enclosed garage within an existing legal driveway, tandem space, carport, etc.
  6. The adjusted decrease is granted as a means to preserve the integrity of the historic structure.
  7. That the design of the modification to the historic resource will be a positive contribution to the community.
  8. The adjusted decrease is not associated with the addition of a second residential unit as authorized in Sections 9222 and 9223 of this Code.

C. Reduction in parking due to American Disabilities Act (ADA) upgrade. When required solely as a need to upgrade existing parking facilities to comply with Title 24, Title III and California Code of Regulations (CCR), or other California Access Codes or requirements, the total number of required parking spaces may be reduced at the discretion of the Community Development Director. The property owner shall demonstrate that by bringing the site into conformity with State and Federal ADA, required non-accessible parking spaces will be unavoidably lost and shall submit a parking lot site plan that clearly identifies the entire onsite parking area showing that the loss of required non-accessible parking spaces is unavoidable by parking space redesign. The Community Development Director may require appropriate parking lot redesign options that maintains any portion of the number of required non-accessible parking spaces.

f. **9265 - Transportation Demand Management (TDM)**

Where applicable, trip reduction/TDM program plans shall be prepared for review and approval in compliance with the City's TDM Ordinance (Article 9, Chapter 9 of the Tustin City Code) or by the Air Quality Management District. Compliance and enforcement provisions of the City's TDM Ordinance shall apply.

g. **9266 - Development Standards for Off-Street Parking**

Off-street parking areas shall be provided in compliance with the following standards.

A. Access. Access to off-street parking areas shall be provided in the following manner:

1. Parking areas shall provide adequate maneuvering room so that vehicles enter an abutting street or alley in a forward direction. Single family residential and duplex residential uses shall be excluded from this requirement except when driveways take access from a designated major arterial highway;
2. All parking spaces shall have a minimum seven (7) foot vertical clearance. The front three (3) feet of a parking space in an enclosed garage or carport in a residential zone, however, may have a vertical clearance of four (4) feet to allow for enclosed storage to be provided above a vehicle's hood (See Figure 1).

B. Location, Non-Residential. Off-street parking areas shall be located in the following manner:

1. Parking spaces shall be permanently accessible.

2. Required parking spaces shall be located on the same parcel or center as the activities or uses served, except that required parking spaces may be located within five hundred (500) feet of the parcel served if subject to a recorded covenant running with the land, subject to City Attorney approval, that shall be recorded against the affected parcel by the owner of the parking lot guaranteeing to the City that the required parking spaces will be maintained for the use or activity served.
  3. Car pool and bicycle spaces shall be located as close as practical to the entrance(s) of the use they are intended to serve. Spaces shall be situated so that they do not obstruct the flow of pedestrians at entrances or sidewalks.
- C. Location, Residential. Parking in residential zoning districts shall comply with the following regulations:
1. Vehicles shall not be parked between the street property line and the front or side of the residential unit except on a legal driveway, parking space, garage or carport approved by the City.
  2. Storage of a recreational vehicle is prohibited except when located outside of any required front, side, or rear yard setbacks, on a paved surface, and when fully screened from view from the public right-of-way and adjoining properties by a wall or fence to a minimum height of six (6) feet and landscaping in a manner approved by the Community Development Director. No habitation is allowed at any time.
  3. Recreational vehicles may be temporarily parked on driveways in front of residences for not more than forty-eight (48) hours within any seven (7) consecutive day period of time for the purpose of loading and unloading only.
  4. In multi-family residential developments, parking shall only be permitted in designated parking spaces approved by the City.
  5. Fabric, plastic or other temporary shade structures designed or utilized for sheltering vehicles or parking purposes are prohibited.
  6. No commercial or commercially licensed vehicle shall be stored on any residentially zoned or used property. No commercial or commercially licensed vehicle with a gross vehicle weight of over twelve thousand (12,000) pounds is allowed to be parked on any residentially zoned or used property or on any private residential street.
  7. A vehicle shall not be parked across or otherwise block any private or public sidewalk.

D. Parking space design and dimensions:

1. Residential uses. Minimum parking dimensions shall be as indicated in Table 2 and as illustrated by Figure 2. Compact stalls shall not be allowed as required parking for residential uses.

TABLE 2  
MINIMUM PARKING STALL AND LOT DIMENSIONS - RESIDENTIAL  
USES

Standard Stall		
Type of Stall	Length/Width	Door Opening
Covered (garage/carport)	20 feet/10 feet, inside dimensions	8 feet min (single car opening) 16 feet min (two-car opening)
Standard	Spaces shall conform to the standards in Table 3.	

2. Nonresidential uses. Minimum parking dimensions shall be as indicated in Table 3 and as illustrated by Figures 3, 4, 5, 6, and 7.

TABLE 3  
MINIMUM PARKING STALL AND LOT DIMENSIONS –  
NONRESIDENTIAL USES

Standard Stall	
Type of Stall	Length/Width
Standard	19 feet/9 feet
Compact	17 feet/8 feet

One-Way Traffic and Single Loaded Aisles in Parking Lot

Parking angle (degrees)	Stall depth, including bumper overhang	Aisle width (travel lane)	Total bay depth
30	17 feet 4 inches	11 feet	28 feet 4 inches
45	19 feet 10 inches	13 feet	32 feet 10 inches
60	21 feet	18 feet	39 feet
75	20 feet 7 inches	21 feet 11 inches	42 feet 6 inches
90	19 feet	25 feet	44 feet

**One-Way Traffic and Double Loaded Aisles in Parking Lot**

Parking angle (degrees)	Stall depth, including bumper overhang	Aisle width (travel lane)	Total bay depth
30	17 feet 4 inches	11 feet	45 feet 7 inches
45	19 feet 10 inches	13 feet	52 feet 7 inches
60	21 feet	18 feet	60 feet
75	20 feet 7 inches	21 feet 11 inches	63 feet 1 inch
90	19 feet	24 feet	62 feet

**Two-Way Traffic and Double Loaded Aisles in Parking Lot**

Parking angle (degrees)	Stall depth, with bumper overhang	Aisle width (travel lane)	Total bay depth
30	17 feet 4 inches	24 feet	58 feet 8 inches
45	19 feet 10 inches	24 feet	63 feet 8 inches
60	21 feet	24 feet	66 feet
75	20 feet 7 inches	24 feet	65 feet 2 inches
90	19 feet	24 feet	62 feet

- a. Aisle width for internal circulation. The minimum aisle width for two-way traffic with no parking spaces is twenty (20) feet and minimum twelve (12) feet for one-way traffic with no parking spaces.
- b. Parallel parking spaces. Parallel parking spaces shall have minimum width of nine (9) feet and a minimum length of twenty-two (22) feet as shown in Figure 8.
- c. Drainage. Off-street parking/loading areas shall be designed and constructed to ensure that surface water will not drain over sidewalks or adjacent parcels. Surface water shall be directed to landscape areas or bio-filtration planters and shall not be directed onto adjacent paved areas. Parking area design must comply with the City of Tustin Water Quality Ordinance and all Federal, State, and Regional Water Quality Control Board rules and regulations.
- d. Compact parking spaces. Compact car spaces may be provided as follows:
  1. Compact car parking spaces may be provided in addition to and not in lieu of required parking.

2. Each compact space shall be clearly marked as a compact space in letters not less than twelve (12) inches high and seven (7) inches wide, reading "Compact" or as otherwise allowed by code.
  3. Compact parking spaces shall be located along the perimeter of parking areas, away from any entrance to buildings and uses.
- e. Wheel stops/curbing. Wheel stops or concrete curbing at least six (6) inches high and six (6) inches wide shall be provided for parking spaces located adjacent to walkways, fences, walls, property lines, landscaped areas and structures.
  - f. Overhang. Parking stalls and wheel stops may be designed to allow a vehicle to overhang into landscaped areas a maximum of two (2) feet. A vehicle overhang shall not encroach into any walk way, drive aisle or other path of travel.
  - g. Queuing Distance. Parking lot entries accessed from a public or private street shall access driveways that are not intersected by a parking aisle, parking space, or another access driveway for a minimum twenty (20) feet from the property line, to provide a queuing area for vehicles entering and exiting the parking area. See Figure 9 (Access to Parking Spaces).

#### E. Landscaping.

1. A minimum of five (5) percent of the interior parking lot area shall be permanently landscaped. The area of the parking lot shall be computed by adding areas used for access drives, aisles, stalls, and maneuvering. Required setback or buffer areas between the parking lot and property lines shall not be counted towards satisfying the parking lot landscape requirement.
2. Perimeter parking lot landscaping shall be minimum five (5) feet wide. The minimum perimeter parking lot landscaping along street frontages shall be minimum ten (10) feet wide for parking lots abutting any major arterial highway.
3. Perimeter parking lot landscaping shall be designed and maintained to screen cars from view from the street to a height of thirty (30) inches to forty-two (42) inches. Screening materials may include a combination of plant materials, earth berms, solid masonry walls, raised planters, or other screening devices which meet the intent of this requirement. Trees shall be provided in these locations at a rate of one for every twenty (20) lineal feet of landscaped area. Plant materials, signs, or structures within a

traffic safety sight area of a driveway shall not exceed twenty-four (24) inches in height.

4. Areas within the parking lot that are not used for parking or other approved uses shall be landscaped.
  5. At least one (1) twenty-four (24) inch box tree for every six (6) parking spaces shall be included in the development of the landscape program for the site. Trees must be dispersed throughout the parking lot and shall be planted in locations that do not conflict with vehicle or pedestrian movement and access.
  6. A permanent and automatic irrigation system shall be installed and maintained in all landscaped areas to insure proper maintenance of plant materials.
  7. A six (6) foot eight (8) inch high decorative masonry wall shall be provided along the property line where a parking area, driveway, or vehicle turning area on a non-residentially zoned parcel abuts a residentially zoned parcel. Within a required front yard, the wall shall not exceed three (3) feet in height subject to visual clearance requirements at driveways. The Community Development Director may waive or modify this requirement to protect the visual clearance of adjacent residences or where screening is not necessary due to existing grade differentials or other reasons deemed acceptable by the Community Development Director.
- F. Lighting. Parking facilities shall provide lighting in compliance with the requirements of Tustin City Code Section 4101, and other applicable requirements.
- G. Design for carports and garages.
1. Carports/covered parking shall have a solid roof structure that completely covers a carport parking stall. Lockable storage space of at least ninety (90) cubic feet shall be provided in carports and shall be designed and maintained so as not to obstruct vehicle access to the required parking space (see Figure 1). Carports shall be screened from public view by a solid wall.
  2. Garages shall be completely enclosed on all sides, have a solid roof and a lockable door.
- H. Residential guest parking. Off-street guest parking in residential zoning districts shall be designated and restricted, with appropriate signs/pavement markings, for the exclusive use of the guests.

- I. Shopping cart storage. Shopping cart storage areas shall not be located within required parking spaces.
  - J. Striping and identification.
    - 1. Parking spaces, aisles, approach lanes, and maneuvering areas shall be clearly marked with directional arrows and lines to ensure the safe and efficient flow of vehicles. If double stripes are used, parking space widths shall be measured from the center of the double stripes. The Community Development Director may require the installation of traffic signs in addition to directional arrows to ensure the safe and efficient flow of vehicles in a parking facility.
    - 2. Parking spaces for the disabled and compact spaces shall be striped and signed in compliance with applicable State standards and as contained in this chapter.
    - 3. Parking spaces provided for motorcycle use only shall have bollards installed and be appropriately spaced to prevent automobile usage of the motorcycle area. Motorcycle spaces shall be marked so that they can be clearly identified for motorcycle use only.
  - K. Tandem parking. Except as otherwise permitted in this chapter, tandem parking shall be prohibited.
  - L. Valet parking. Valet parking may be allowed subject to the approval of a Conditional Use Permit and that adequate drop-off area is provided. Tandem parking in conjunction with valet parking may be allowed subject to plan approval through a Conditional Use Permit.
  - M. Interpretations. The parking lot design standards may be interpreted by the Community Development Director for conditions not already specified in this section.
- h. **9267 - Driveways and Site Access**
- A. Driveways for Residential Uses.
    - 1. The driveway width within the front yard setback shall be a minimum of twelve (12) feet and a maximum of twenty-four (24) feet; if the garage or carport is designed for three (3) or more vehicles, the driveway width within the front yard setback shall be a minimum of twelve (12) feet and a maximum of thirty (30) feet. For lots at the ends of cul-de-sacs with lot frontages of less than forty (40) feet, the parking and driveway areas within the front yard setback shall not exceed seventy-five (75) percent of

the total front yard setback. The total width may be divided for properties with two (2) driveways.

2. Circular driveways shall have a minimum outside radius of twenty-five (25) feet.
  3. Detached single family residential unit parking and driveway areas within the front yard setback shall be separated with a minimum of a three (3) foot wide landscape area between the parking or driveway area and the adjacent side or rear property line.
  4. A driveway leading to a parking area for duplexes, condominiums, and dwelling units located on a flag lot may be located, in part, along the driveway of a contiguous lot and may, in part, be a common driveway which provides access to more than one (1) dwelling unit.
  5. Paved areas (e.g., parking of vehicles or providing pedestrian access to the residence) may be provided within the front yard setback of residential districts if the total paved area does not exceed fifty (50) percent of the total front yard setback area, the parking of vehicles does not obstruct ingress and egress to required parking, and all of the requirements of this Zoning Code can be met.
  6. Where garages face each other and are separated by a shared driveway, the minimum driveway width shall be twenty-five (25) feet. See Figure 10 (Minimum Driveway Width for Garages with Shared Driveway).
- B. Driveways for Commercial and Industrial Districts. One-way driveways within the front yard area shall have a minimum width of fourteen (14) feet and a maximum width of twenty (20) feet. Two-way driveways within the front yard area shall have a minimum width of twenty-four (24) feet and a maximum width of thirty-five (35) feet.
- C. Paved areas. Paved areas may be improved with impervious materials including, but not limited to, concrete, bricks, slate or stone tiles, decorative stamped concrete, or any other permanent hardscape. No decomposed granite, gravel, or other loose materials shall be allowed. Unimproved and/or unpaved portions of the front yard setback area in residential districts or front yards in commercial or industrial districts shall be improved and maintained with appropriate landscaping in a healthy and vigorous condition.
- D. On August 6, 2001, the City Council adopted Ordinance No. 1240 requiring all lots to be in compliance with this subsection. Any excess paved areas are to be discontinued, removed, or altered to conform to the provisions of this subsection after the latter of the following dates: (a) within thirty-six (36) months of the effective date of Ordinance No. 1240 (September 6, 2001); or

(b) the date of notice of abatement issued by the Director of Community Development or the Director's designee.

i. **9268 - Off-Street Loading Space Requirements**

A. Number of loading spaces required. Off-street loading spaces shall be provided as identified in Table 4, below:

TABLE 4  
REQUIRED LOADING SPACES

Type of Land Use	Total Gross Floor Area	Loading Spaces Required
Industrial, manufacturing, research and development, and institutional uses	5,000 to 19,999 sq. ft.	1
	20,000 to 39,999 sq. ft.	2
	40,000 to 79,000 sq. ft.	3
	80,000 sq. ft. and over	4 plus 1 space for each additional 50,000 sq. ft
Office, hotels, hospitals and other non-goods handling uses	5,000 to 49,999 sq. ft	1
	50,000 to 99,999 sq. ft.	2
	100,000 sq. ft. and over	3
Retail stores, restaurants and other goods handling uses	5,000 to 14,999 sq. ft.	1
	15,000 to 44,999 sq. ft	2
	45,000 sq. ft. and over	3
All nonresidential uses	Less than 5,000 sq. ft.	0

1. The number of loading spaces required is based on the total gross floor area of the entire center. Requirements for uses not specifically listed shall be determined by the Community Development Director based upon the requirements for comparable uses and upon the particular characteristics of the proposed use.

B. Standards for off-street loading areas. Off-street loading areas shall be provided as follows.

1. Dimensions. The acceptable dimensions of the required loading spaces shall be determined and approved through the Design Review process.

2. Lighting. Loading areas shall have lighting in compliance with city requirements.

3. Loading doors and gates. Loading bays and roll-up doors shall be painted to be compatible with the color of the exterior structure wall(s) and be located on the rear of the structure away from public view. Loading bays and doors may be located on the side of a structure, away from a street frontage, where the Community Development Director determines that the bays, doors, and related tracks can be adequately screened from view from adjacent streets.
4. Loading ramps. Plans for loading ramps and/or truck wells shall be accompanied by a profile drawing showing the ramp, ramp transitions, well, and overhead clearances when required by the Community Development Director.
5. Location. Loading spaces shall be located and designed to:
  - a. Ensure that the loading facility is screened from adjacent streets as much as possible;
  - b. Ensure that loading and unloading takes place on-site and in no case within adjacent public rights-of-way or other traffic areas on-site;
  - c. Ensure that vehicular maneuvers occur on-site; and
  - d. Avoid adverse noise impacts upon neighboring residential properties.
6. Screening. Loading areas abutting residentially zoned parcels shall be screened when required by the Community Development Director.
7. Striping. Loading areas shall be striped indicating the loading spaces and identifying the spaces for "loading only." The striping shall be permanently maintained by the property owner/tenant in a clear and visible manner at all times.

C. Figures

1. The figures in this section are a visual representation of the requirements provided in this chapter.

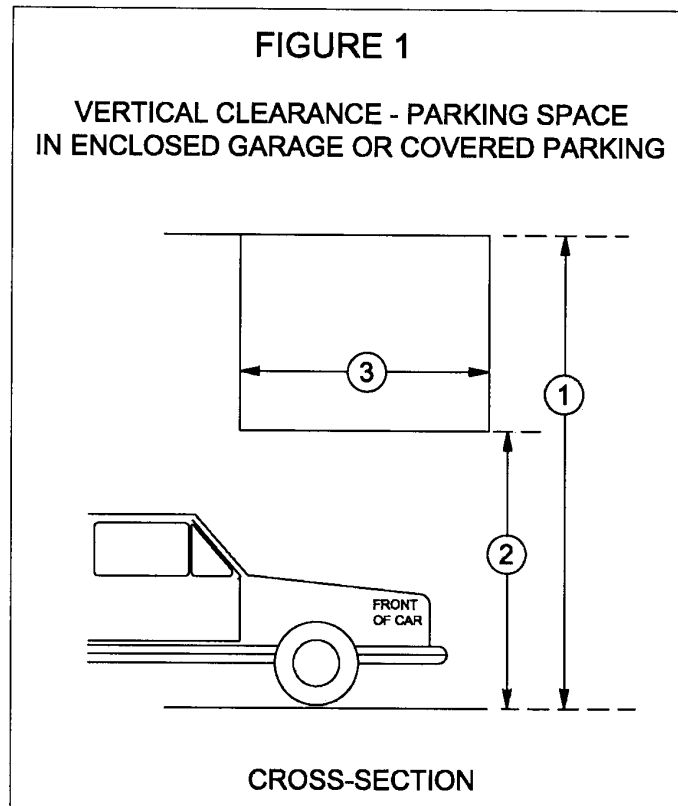


Figure 1: Vertical Clearance: Parking space in enclosed garage or covered parking

1. Minimum vertical clearance height – seven (7) feet
2. Minimum vertical clearance height at front of space – four (4) feet
3. Maximum horizontal distance allowed for Note 2 above – three (3) feet

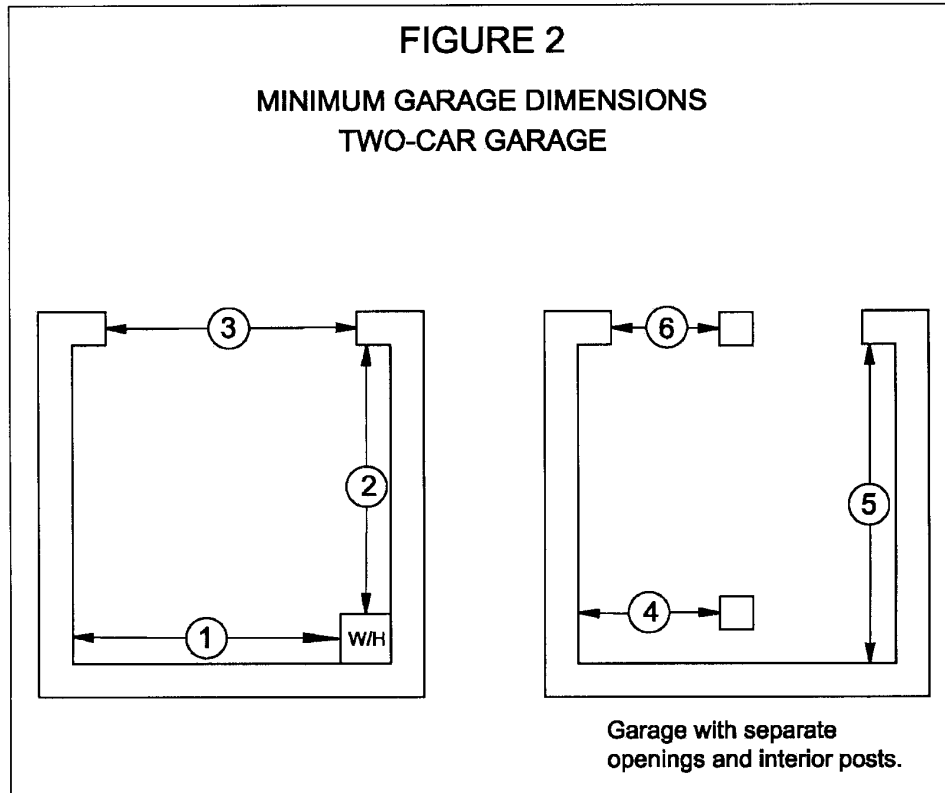


Figure 2: Minimum Garage Dimensions

A. Two-car Garage

1. Interior width – twenty (20) feet
2. Interior length – twenty (20) feet
3. Door opening – sixteen (16) feet

B. One-car garage or garage with separate openings and interior posts

4. Interior width for one-car space – ten (10) feet
5. Interior length for one-car space – twenty (20) feet
6. Door opening – eight (8) feet

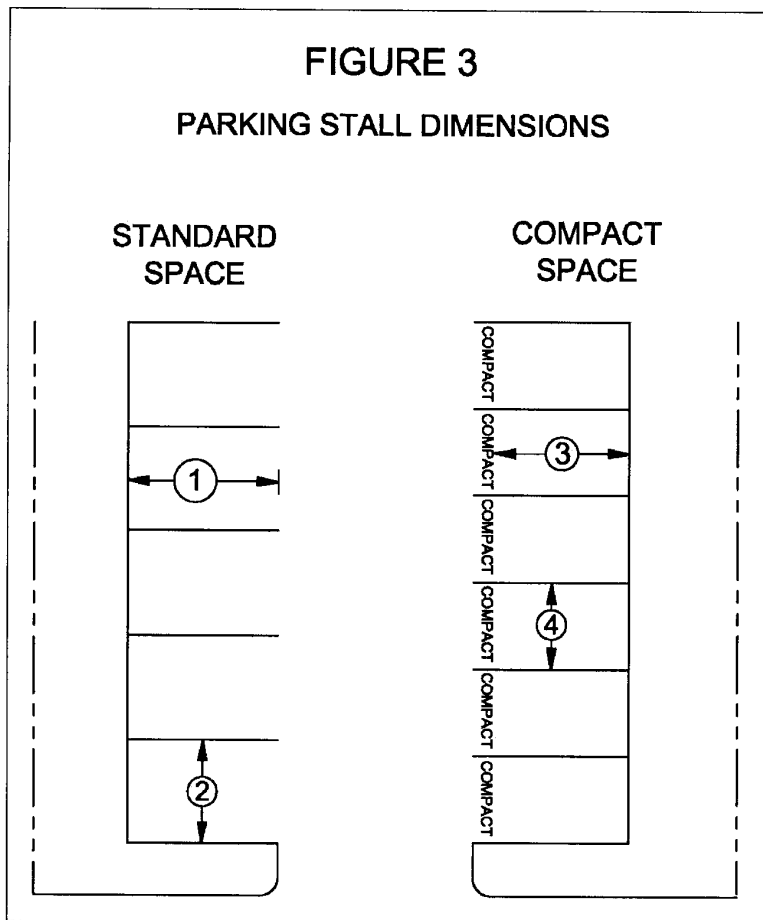


Figure 3: Standard Parking Stall Dimension

1. Standard stall length – nineteen (19) feet
2. Standard stall width – nine (9) feet
3. Compact stall length – seventeen (17) feet
4. Compact stall width – eight (8) feet

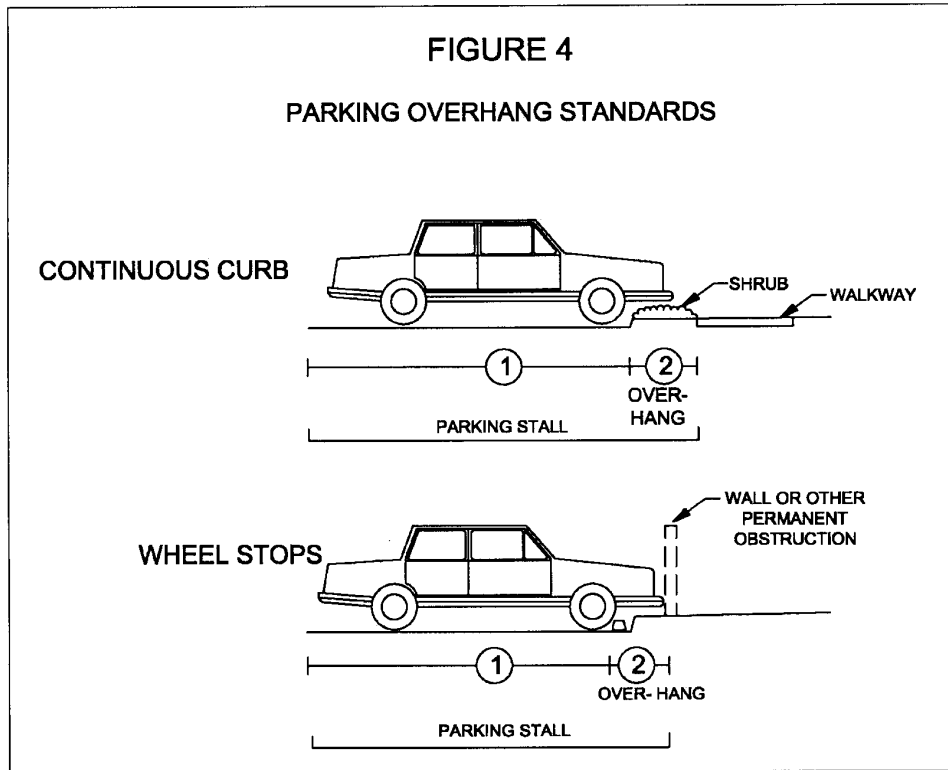


Figure 4: Parking Overhang Standards

1. Parking length – seventeen (17) feet minimum
2. Overhang length – two (2) feet maximum

**FIGURE 5**  
**SAMPLE PARKING LOT**  
**90° - SINGLE DRIVE AISLE**

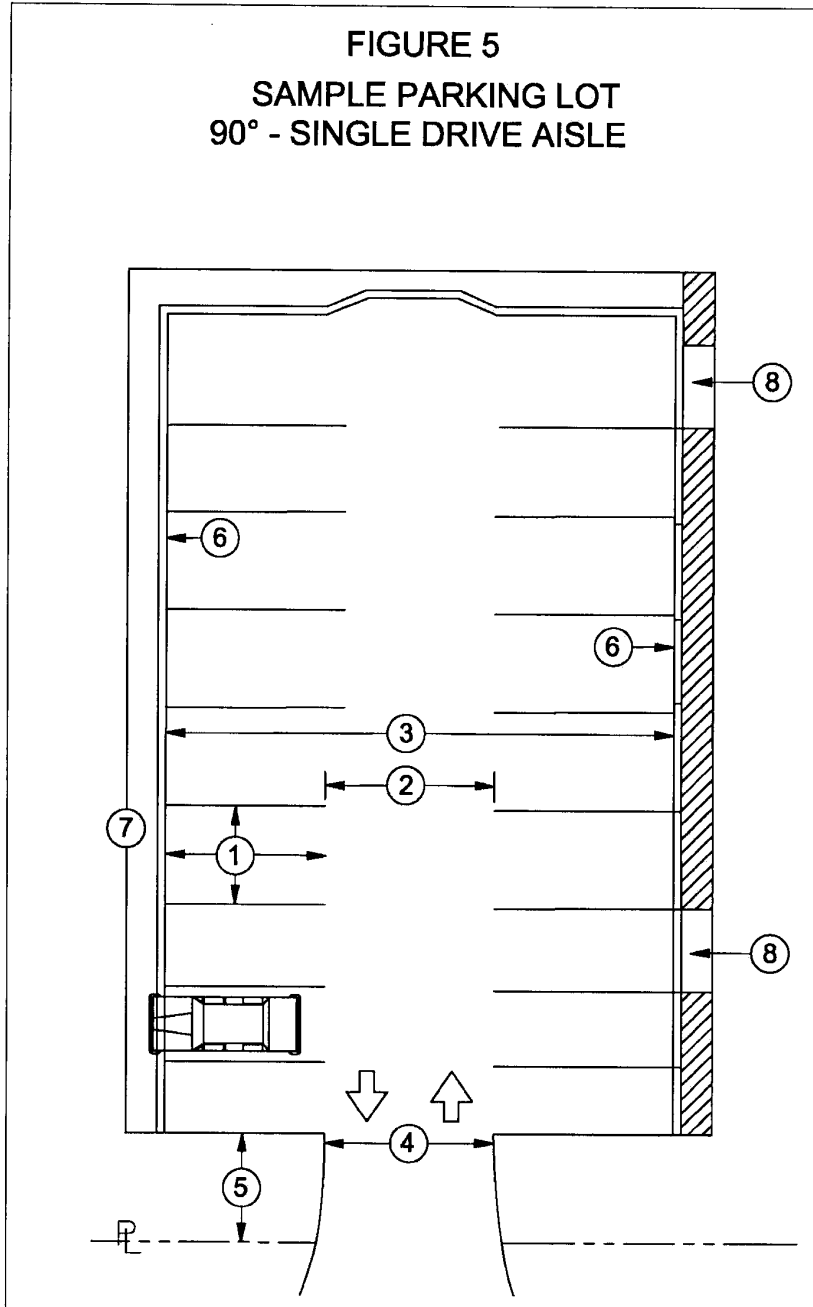


Figure 5: 90 degree – Single Drive Aisle

1. Stall dimensions: nine (9) feet by nineteen (19) feet
2. Drive aisles: twenty-four (24) feet
3. Parking Bay (inside curbs): sixty-two (62) feet minimum
4. Driveway in front yard area: twenty-four (24) feet to thirty-five (35) feet
5. Queuing distance: twenty (20) feet
6. Concrete curb: six (6) inches high by six (6) inches wide
7. Perimeter Wall: six (6) feet eight (8) inches when adjacent to residential property or use

8. Planters: one (1) tree per every six stalls

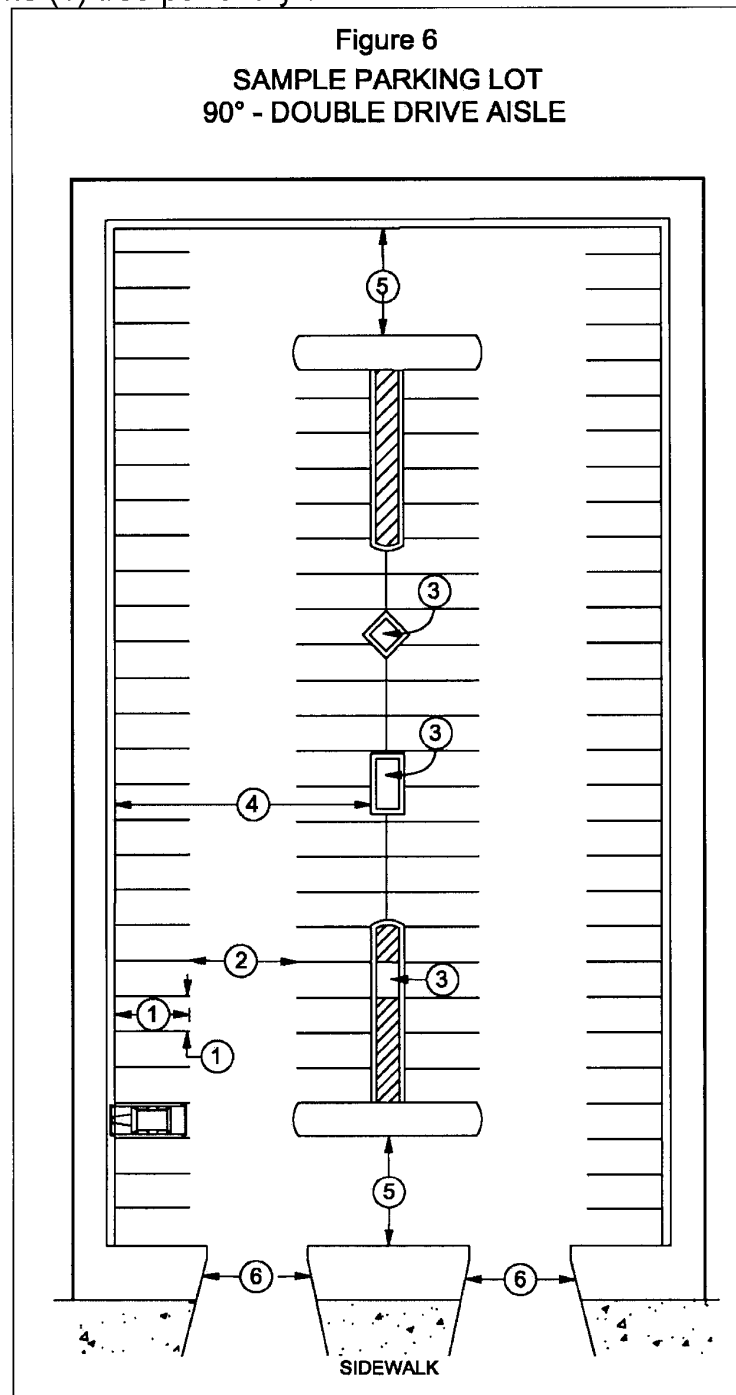


Figure 6: 90 degree – Double Drive Aisle

1. Stall Dimensions: nine (9) feet by nineteen (19) feet
2. Drive aisles: twenty-four (24) feet
3. Tree wells: one (1) tree per every six (6) stalls
4. Parking bay: sixty-two (62) feet
5. Interior circulation: twenty (20) feet

6. Driveway in front yard area: twenty-four (24) feet to thirty-five (35) feet

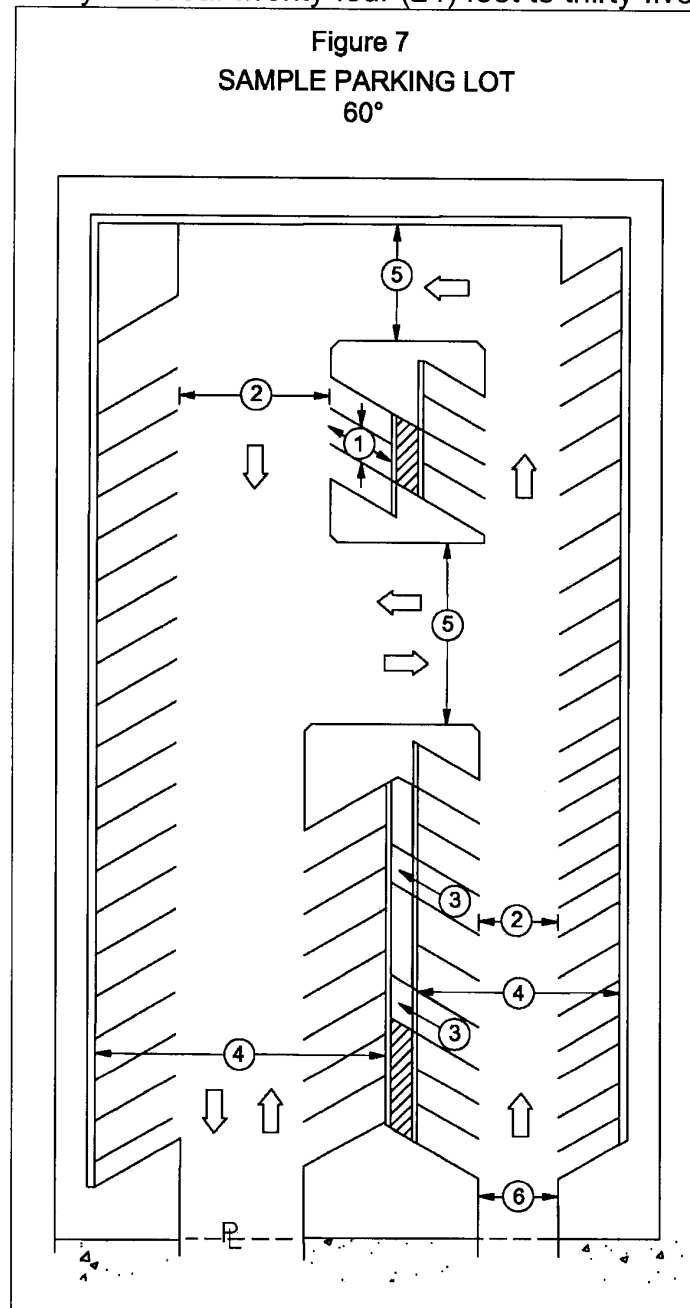


Figure 7: 60 degree

1. Stall Dimensions: nine (9) feet by nineteen (19) feet.
2. Drive aisle width:  
One way – eighteen (18) feet  
Two way – twenty-four (24) feet
3. Tree wells: every sixth (6th) stall,

4. Parking bay depth:  
One way – sixty (60) feet  
Two way – sixty-six (66) feet
5. Interior Circulation:  
One way – twelve (12) feet  
Two way – twenty (20) feet
6. Driveway in front yard area:  
One way – fourteen (14) feet to  
twenty (20) feet

Two way – twenty-four (24) feet  
to thirty-five (35) feet

**FIGURE 8  
PARALLEL PARKING**

**STANDARD  
SPACE**

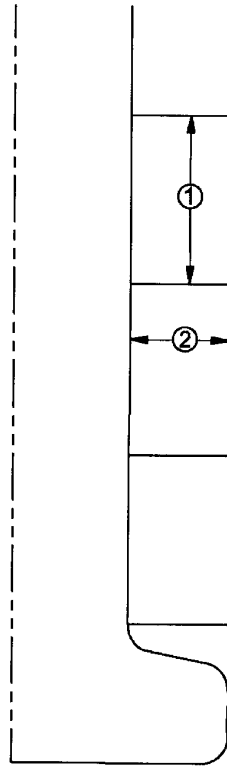
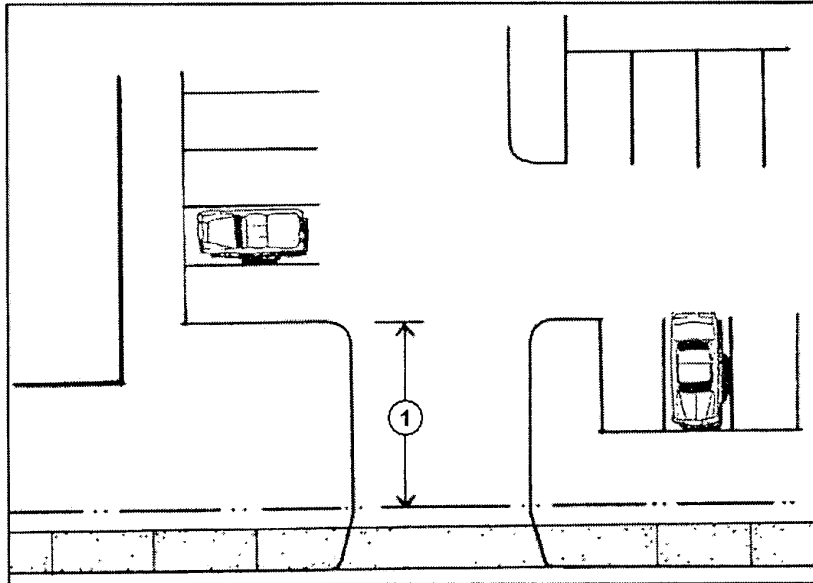


Figure 8: Parallel Parking

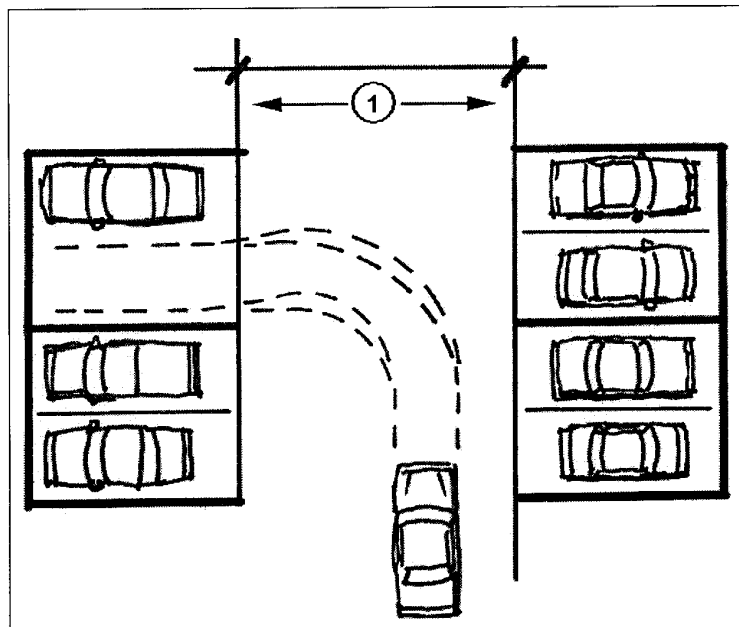
1. Stall Length – twenty-two (22) feet
2. Stall Width – nine (9) feet

Figure 9  
Access to Parking Spaces



1. Queuing Distance: Minimum twenty (20) feet

Figure 10  
Minimum Driveway Width for Garages with Shared Driveway



1. Driveway width: Minimum twenty-five (25) feet

j. **9269 - Definitions**

The following terms as used in this chapter shall have the respective meanings as set forth except when the context clearly indicates otherwise.

**Carport.** An attached or detached unenclosed structure with a solid roof designed to shelter motor vehicles.

**Company-Owned Vehicles.** Passenger, delivery, and/or other special purpose vehicles owned and operated by business establishments located at a site.

**Covered Space.** A parking space located within any approved parking structure constructed with a solid roof that is designed and used primarily for the sheltering of vehicles.

**Driveway.** A paved area of a lot located between the public right-of-way and the garage, carport, or required parking space designed and intended as an access way between a private or public road and the garage, carport, or required parking space.

**Floor Area, Gross.** The sum of the horizontal areas of each floor of a building, measured from the exterior faces of the exterior walls or from the centerline of walls separating two (2) buildings, but not including underground parking, uncovered steps or exterior balconies.

**Garage.** A detached, accessory building or a portion of a main building on the same lot as a dwelling, used primarily for the housing of vehicles of the occupant of the dwelling, having a roof, and enclosed on at least three (3) sides, with the fourth side being a lockable door.

**Parking Space.** Accessible and usable paved area on a building site located off-street and designed for the parking of vehicles.

**Recreational Vehicle.** A motorized or non-motorized vehicle that is intended for human habitation, recreational use, camping and travel use including but not limited to a motor home, travel trailer, truck camper, trailer (with or without motive power), all-terrain vehicles, and boats.

**Seat.** Furniture or furnishings designed and used for sitting; eighteen (18) inches of continuous bench or bleacher seating shall equal one (1) seat.


**Tandem Parking.** Any off-street parking space designed in such a manner that a vehicle properly parked in such space may, by design, have its ingress to or egress from such space blocked by a vehicle properly parked in a contiguous parking space.

Section III. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held out to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Tustin hereby declares that it would have adopted this ordinance and each section, subsection, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

PASSED AND ADOPTED by the City Council of the City of Tustin, at a regular meeting on the 4<sup>th</sup> day of November, 2008.



JERRY AMANTE,  
Mayor



PAMELA STOKER  
City Clerk

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) SS  
CITY OF TUSTIN )

PAMELA STOKER, City Clerk and ex-officio Clerk of the City Council of the City of Tustin, California, does hereby certify that the whole number of the members of the City Council of the City of Tustin is 5; that the above and foregoing Ordinance No. 1354 was duly and regularly introduced at a regular meeting of the Tustin City Council, held on the 7<sup>th</sup> day of October, 2008 and was given its second reading, passed, and adopted at a regular meeting of the City Council held on the 4<sup>th</sup> day of November, 2008 by the following vote:

COUNCILMEMBER AYES:	<u>Amante, Davert, Bone</u>	(3)
COUNCILMEMBER NOES:	<u>Kawashima, Palmer</u>	(2)
COUNCILMEMBER ABSTAINED:	<u>None</u>	(0)
COUNCILMEMBER ABSENT:	<u>None</u>	(0)

  
\_\_\_\_\_  
PAMELA STOKER  
CITY CLERK