

Tarzana Property Owners Association

September 26, 2011

**Reference: Modified Parking Requirement District Proposed Ordinance
CPC-2007-2216-CA, Council Files 11-1332, 07-2991, 09-0206**

Dear Council Members

The Tarzana Property Owners Association strongly opposes the proposed ordinance. We have carefully analyzed the ordinance and attended the hearings on the subject before the City Planning Commission and the Planning and Land Use Management Committee. We applaud the effort that the PLUM and Planning Department put into the August 9 Modified Parking Requirements District workshop. However, we were deeply disappointed at the totally one sided nature of the presentations. Where were experts who opposed the proposed ordinance? Where were the civic activists who have studied the proposal and would have to live with its consequences? Designating one or two activists who had given the matter considerable attention would have made for a much more balanced workshop. As a consequence of our analysis of the material presented at the hearings and workshop, our concerns and opposition to the proposed Modified Parking Requirement District ordinance remain the same. While the latest version includes some improvements to the original 2007 proposal and some improvements to the recent draft, it remains an unnecessary, misguided effort to degrade current parking standards. **The key point to come out of the several hearings is that the ordinance is unnecessary; provisions currently exist to provide justified relief from current parking regulations..** The Zone Variance and Conditional Use processes consider the specific request for a specific project and allow provisions for public comment. The most telling point was, in fact, made by the Planning Department staff in earlier testimony before the City Planning Commission: they gave examples of the existence of those relief mechanisms from current regulations when discussing each point of the proposed ordinance. **Our suggestion, therefore, is that the proposed ordinance not be considered further.**

The proposed ordinance makes two questionable assumptions. The first is that the increased availability of public transit will cause people to forgo car ownership and use public transportation. **The public transit network in Los Angeles is simply not capable of fulfilling that requirement and is quite unlikely to be able to do so in the foreseeable future.** While we have seen impressive patronage figures for rapid transportation facilities such as the Orange, Red, and Green lines, studies have shown that much, if not most, of that patronage is a shift from buses, rather than a shift from private automobiles. In fact, as reported in Los Angeles Times and LA Weekly articles in 2007, residents of current transit oriented projects *own cars, need to park them on-site, and rarely if ever use the public transportation.* As an example, the 2007-2009 US census data for the Los Angeles metropolitan area indicates that just over 6% of residents use public transportation for commuting to work.

The second questionable assumption, addressed in earlier Planning Department discussions, is that reduced parking requirements on new multiple housing construction would significantly reduce the cost of ownership of those units and increase the availability of affordable housing. Here the Planning Department played fast and loose with statistics, claiming that adding a parking space adds **as much as** \$30,000 to the cost of construction and then multiplying that maximum cost by 2.5 to make their general claim that “ For a 2-bedroom condominium that requires 2.5 parking spaces, the cost of parking alone is \$75,000.” While it may be true that there are isolated cases where the current parking requirements add substantial cost to construction, those units will require parking for cars that residents will insist on having. Should those cars simply add to the scarcity of current parking? Again, for those specific projects which are unlikely to result in substantial car ownership, the existing variance processes provides a mechanism for modification of the general parking requirement. **Let’s not provide a general solution to limited specific cases.**

To support our opposition to the proposed ordinance, we would like to call attention to specific aspects of the proposed ordinance which we believe to be poorly thought out, with inadequate attention paid to unintended consequences.

Single Hearing to Establish a District in Perpetuity: The first of these is the single hearing required for establishment of a Modified Parking Requirements District. The processes for relief from existing parking regulations consider the specific request for a specific project and allow provisions for public comment. **The proposed MPR District ordinance would allow by-right variances from current regulations, once adopted, for each and every establishment within the district, with no City governance or public input.** That does not seem prudent, considering the variety of tools proposed, cumulative effects within the district over time, and future situations not apparent today. Think how digital technology made then-existing signage regulations obsolete and the amount of effort necessary (and still underway) to remediate the situation.

Change of Use: Consider the Change of Use tool. The first change from a low parking use (commercial, for example, requiring one space for each 500 sq. ft.) to a restaurant which requires an intense need for parking (one space for each 100 sq. ft.) or an even more intense use such as a theater (one space required for each 35 sq. ft.) may arguably be justified for the first facility within the district. Where is the parking for the potential overflow of cars, however, after the 5th or 10th or 15th change of use? For a modest 5,000 square foot building, what would make up for the extra 132 parking spaces (theater change) or 40 spaces (restaurant change) per changing establishment? Clearly, this provision makes little sense.

Community Parking: Another ill advised aspect is the proposed provision for off-site parking for all uses within 1500 feet. Again, we feel that community parking may be a useful provision under certain circumstances. Beverly Hills, Pasadena, and Santa Monica all have provided public parking garages in dense shopping areas which reduce unnecessary duplication of parking spaces. **However, note that these facilities share two characteristics: they are only in dense commercial areas and they provide parking at no cost (at least for a specified time) to the end users of the facilities.**

In addition, the 1500 foot radius is simply too great. The Planning Department claims that parking available within 1500 feet of the end use is OK since 1500 feet is a 5 minute walk. While someone in good shape can walk 1500 feet (almost 1/3 of a mile) in 5 minutes, how appropriate would it be to be forced to walk to an apartment in inclement weather, or after a hard day's work, or for an older or less fit person carrying groceries? The current 750 foot limit applicable to industrial facilities makes far more sense. **We believe the findings for multifamily residential facilities must make two findings: no impact on adjacent residential areas and use of the community parking facility be limited to residents of the subject residential buildings.**

We note that community parking is not allowed under current parking regulations and urge that the effort be spent in a minor modification to the code to allow such use under existing methods for relief from current parking regulations.

One further point: observations in our area indicate that the auxiliary parking cited in applications for variances are rarely utilized. Instead, people park as close to their destination as possible, further aggravating the local situation.

District Size: We note that the most recent version increases the minimum size of a proposed MPD from three to five acres. While a step the right direction, that's still smaller than the average Big Box store property. On the other hand, maybe there should be a maximum size! The effects of the proposed change of use provision might be alleviated if the district were small enough. Do we want a min/max size for every proposed tool? How complex can we get! Wouldn't it be simpler to just drop the proposed ordinance?

Commercial Parking Credits: The specific requirements proposed for this provision seem rather cumbersome. Conducting such an extensive survey of an entire MPR District would be extremely time consuming and require significant City resources. Perhaps more pertinent, where would the money go? Current pools of this sort (traffic mitigation, Quimby parkland, etc) seem to provide little or no benefit to the community. The fees often simply accumulate for years or, alternatively, are used for a questionable project simply because the funds are there and the provisions for their use are quite cumbersome and restrictive.

Summary: In summary, we believe that mechanisms currently exist to provide justified relief from current parking regulations and believe that the proposed ordinance substantially weakens the ability of the City and the potentially affected communities to provide necessary parking regulations. **Each individual request for relief from the current regulations must include public notice and hearings and the findings in each case must justify the relief.**

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