



# HAWTHORNE PLANNING COMMISSION STAFF REPORT

DATE: April 16, 2025  
FROM: Gregg McClain, Director of Planning  
SUBJECT: Parking Regulations Ordinance

## **PROJECT AND APPLICANT**

Summary: ZA-2025-0002 amends portions of Title 17 of the Hawthorne Municipal Code that address regulations for parking on private property.  
Applicant: City of Hawthorne

## **OVERVIEW**

The Hawthorne Municipal Code (HMC) needs to be overhauled entirely, but so does the General Plan. In theory, the General Plan, as the policy behind the HMC, should be addressed first. This, however, will put any zoning improvements on the back burner for several years while a new General Plan and Environmental Impact Report are prepared. Parking is one of the few topics that can and should be completely revamped now rather than waiting for the General Plan.

The parking requirements of the HMC have long been identified as stifling economic development, creating barriers to affordable housing, and contributing to an impression that the City is difficult to work with. The problems are not limited to outdated and excessive regulations of parking, but also that parking-related regulations are found in at least six different chapters of Title 17 (the Zoning Code). The only forms of relief are a conditional use permit or variance, and the variance process is so overly restricted when it comes to parking there is practically no case where it serves to provide relief as it is intended. Additionally, many of the City's parking requirements completely ignore abundant existing parking that is forced to go unused and exists as an untapped resource. The regulations that create the unused surplus of parking spaces are not practically enforceable and are largely ignored by the owners of the spaces, so eliminating them will not solve the parking problem, but to the extent that some property owners abide by the regulations, removing them will provide some relief for the parking problems experienced around the City.

Parking takes a disproportionately large amount of the Planning Department's efforts when evaluating any development. Living conditions for residents, the financial health of our businesses, and any flexibility the City may deem appropriate in certain circumstances all take a back seat to ensuring that cars always have a place to sit idle during times they are not being driven. This prioritizing of parking over all else is a

significant contributor to many of the City's ills. And this is true of most cities in the United States.

Issues related to parking are consistent despite the many changes the City implemented over the decades. This is in large part because the changes implemented have almost always unintentionally made the situation worse. The solution to this dilemma is to stop planning for even more parking spaces in the City and to reassess parking's role in our lives. Parking should be an accessory to the things that really matter to a city—it's people, it's economic health, open space, and other quality of life issues. This ordinance is a major realignment toward these priorities.

There are five main areas of concern that are being addressed by this ordinance: economic development, housing barriers, the City's reputation, zoning processes, and missed opportunities. Importantly, aside from removing excessive restrictions, the most impactful changes are minor and help to bring the regulations of parking in conformity with the City's Economic Development Strategic Plan, the General Plan, and specifically the Housing Element, and housing state laws. Lastly, this ordinance resets the parking standards in small ways that will facilitate development and strips away layers of past amendments that were intended to solve perceived issues at the time, but have instead created other problems that suppress economic development, contribute to the high cost of housing, and have shifted some of the parking issues from private properties onto the public streets.

#### Economic development inhibitors.

Having widely variable commercial parking requirements based on uses, combined with a neutered parking variance and an extremely limited form of relief from a conditional use permit, makes it very difficult for new businesses to replace closed businesses. One of the City's top goals is to promote economic development, especially new hotel and restaurant attraction, but the high parking requirement for some uses makes their ability to locate in parts of the City very difficult, and in most places nearly impossible. This ordinance introduces a flat parking ratio for most commercial uses that will allow nearly any approved use in a zone to fill vacant spaces. The rate chosen, one parking space per each 400 square feet of floor area approximates the average parking required currently for commercial uses.

About two years ago a small catering and bakery company moved out of a small single-unit structure in a C-3 zone. Although the property was undersupplied with parking for this use, it was grandfathered from the time the structure was built. A local barber reached out to the Planning Department because he saw the vacant space as a perfect opportunity to open a shop close to home, and due to the size of his proposed business, the small amount of parking would not be a problem. However, the Zoning Code has a much higher parking requirement for barber shops than for the catering business, and the current rules would not permit the barber shop unless the additional required parking spaces were somehow created on the property. This is impossible due to the very small size of the property, so Planning had no choice but to turn this barber away. The only practical option we could offer was for him to move into a commercial space

recently vacated by another barbershop. Needless to say, these opportunities are rare. The small structure that could not house a barbershop due to parking sits vacant still and has not been occupied by any businesses for over two years. This is, unfortunately, not an uncommon problem and illustrates how the Zoning Code's preference for vehicle parking supersedes and nullifies the City's true interest in economic development, reduction in blight, and common sense. This ordinance will correct this problem.

There is abundant parking along Hawthorne Boulevard in the center median, along the curbs, or in parking lots that are underutilized. Despite that, the HMC still requires businesses along Hawthorne Boulevard to provide on-site parking if they expand their floor area. Due to how the properties are subdivided and how most of the buildings along Hawthorne Boulevard were built when parking was not a priority, there is rarely any possibility to expand and provide additional parking. The result is a lack of investment in the improvement and upkeep of these buildings. There is also no incentive to demolish and rebuild because most of the property would need to be dedicated to parking if that happened, reducing the leasable space and the owners' incomes from their properties. The result is decades of decline and stagnation.

Even owners of long-vacant commercial properties are not incentivized to expand or replace vacant structures because the effort will not create sufficient return on their investment due to the high parking requirements.

To address these problems, the new parking ordinance proposes the following:

- Flat rate parking requirement for most commercial uses;
- Inclusion of existing public parking in the required parking calculation for commercial uses;
- Create a new Planning Commission process that allows consideration of special cases related to parking when substantiated by evidence.

#### Barriers to affordable housing.

A large part of the development cost for multi-family housing is in the parking spaces. This ordinance will slightly reduce the parking required to allow developers to build less expensively and to provide more open space and other tenant amenities. Fostering affordable housing in this way reduces the need to provide it through subsidies, tax credits, and grants, which all have strings attached that make building housing for current residents very costly. Instead, we see new luxury housing units built while ignoring the needs of young families, workers with moderate income, veterans, and residents that want to transfer into a more suitable housing arrangement within the community based on health, age, or family size. Housing development should be designed for the users rather than placing priority on designing for their cars.

To address these problems, the new parking ordinance proposes the following:

- Slight reduction in total and guest parking requirements to shift the focus from automobiles to quality of life for residents and neighbors;
- Slight reduction in selected parking standards to facilitate housing development without compromising quality, convenience, or maneuverability;
- Making garages optional but still requiring parking to be provided on the property.

A common opposition to lowering parking requirements for new residential developments is that it will result in greater demand for street parking. History of this city, as in others, shows that this is not true. No matter what the City did to alleviate the street parking problem by requiring more and more on-site parking over the decades, the street parking situation continues to grow worse year by year in all the residential neighborhoods. This demonstrates that increasing on-site parking does little in the long run to solve the crowded street parking problem. A slight reduction in parking requirements will not solve the street parking scarcity problem, but coupled with some adjustments to the parking regulations, as proposed in this ordinance, should prevent the change from making the situation worse.

Meanwhile, many businesses on our commercial corridors have little to no parking, and they do fine without it because there is convenient street parking in commercial areas. The abundant center median parking along Hawthorne Boulevard is, in fact, very underutilized except in a few blocks where nearby businesses use the free parking to their advantage. A strong argument can be made that the business climate in Hawthorne is not as strong as it should be, but not for lack of parking. Rather this is because current parking regulations make it nearly impossible for certain strong businesses to fill the commercial vacancies. Over the past several decades, businesses with low start-up costs do replace closed businesses, but the economic health of the City is barely improved by this. Even long-vacant storefronts do not get filled with restaurants, bakeries, coffee shops, or other businesses that bring life to a downtown because they cannot add the additional required parking.

The flip side of this commercial conundrum is that any remodeling to a commercial space that involves expansion requires a considerable addition of parking. Most commercial lots in Hawthorne are developed to capacity and have no extra land to provide the new parking.

#### Reputation as a city that is difficult to develop in.

The Zoning Code of the City is in disarray. This is the result of several factors. First, the underlying text is from the earliest years of the City, a century ago. Municipal code writing in the 1920s was largely handled by attorneys in arcane and cryptic English that then required interpretation by City officials to explain. As the Zoning Code was amended over the decades to accommodate new technologies and lifestyles, the practice of writing in this archaic style continued well into the 1980s. The result is that

those portions written like that require serious concentration and expertise to fully understand. An example of this type of code text is in the Parking chapter currently:

*Prior to the issuance of a building permit for any new building or structure, or for the enlargement of the floor area of an existing building or structure, the use of either of which requires off-street parking facilities to be provided as set forth in this chapter, or if a parking area is to be commonly used, a plan of the parking area clearly indicating the number of parking spaces being provided and the proposed development of such area, including location of the spaces, the size, shape, design, relationship to buildings to be served, curb cuts, lighting, landscaping and other features and appurtenances of the proposed parking facility, shall be approved by the director of planning.*

That is just one sentence and is typical of this old-style of code writing.

Prior to municipal codes being posted to the Internet, the majority of the public were reliant on City officials to obtain information or for the exact meaning of the Municipal Code. This afforded planning officials with immense power to allow or halt any development proposal. With municipal codes now available online, the public has the ability to parse sentences like the above and challenge the City's interpretation. Online codes are also searchable, which makes the task of finding contradictions or alternative standards relatively easy. Below are examples of two sentences that exist concurrently in the parking chapter and illustrate the problem:

*When two or more different uses are located on the same lot or within the same building, the total number of parking spaces required shall equal the sum of the requirements for the various uses computed separately.*

and,

*Multi-tenant or strip commercial development having a gross lot area of one hundred thousand square feet or less: one space for every two hundred fifty square feet of gross floor area for seventy-five percent of the gross leasable floor area and one space for every one hundred square feet for the remaining twenty-five percent of the gross leasable floor area, but in no case shall less than three parking spaces be provided per tenant.*

The top sentence appears in the third paragraph of the parking chapter, so any architect or developer seeing that would design a small shopping center with more or less parking than might be actually required. Staff, however, knows about the second sentence which is buried in a long list of parking requirements for commercial uses. Even if a member of the public found this second sentence, it would not be clear to them which is applicable to their project.

This kind of confusion written into the Municipal Code engenders ill will with property owners and development professionals, especially if they spent money to design a project based on the wrong standard and then are told to start over. The situation is

made even worse by there being six different chapters that deal with parking-related matters. Common sense would lead one to the parking chapter, missing all of the other chapters which contain applicable regulations.

To address these problems, the new parking ordinance proposes the following:

- Replace “code language” with plain English;
- Consolidate most parking regulations into one chapter;
- Remove excessive controls and modernize the regulations to move beyond a 20th Century mindset.

### Variance and Conditional Use Disfunction

Variances exist in zoning law as a way to equalize property rights when special circumstances lead to an inability to develop according to the municipal code. There are strict rules in California that restrict variances to properties where the physical characteristics of a lot are the problem, specifically related to size, shape, or topography. The need for relief through a parking variance applies when some physical characteristic of a lot makes supplying the required parking otherwise nearly impossible.

A simple example of a situation requiring a variance for parking is on a trapezoid-shaped lot, meaning the side property lines are not parallel and, say, converge toward the rear of the lot. This situation could make it exceptionally difficult to provide parking that meets the City’s standards, so a variance application is in order. The variance request could be to provide fewer parking spaces, to allow spaces that are substandard in depth, width, or backup area, or to allow spaces where they would not otherwise be permitted, such as in a driveway or front setback area. However, the HMC specifically prohibits a reduction in the number of required spaces by variance. Additionally, any modification to parking standards (the only remaining option) cannot create congestion in the parking lot, or cause people to use street parking to avoid parking in the lot. The effect of these provisions is that there are almost no cases where a variance will solve the inequality problem it is designed to remedy. There are enough safeguards in variances generally that there is no reason to prioritize parking to the extent that it invalidates the variance option altogether.

One alternative form of relief the current Zoning Code permits is through a conditional use permit process. However, this remedy is limited to situations involving a change of use or for multi-tenant developments. In the latter case, the relief is limited to a 30% reduction in required parking. So, development of a new building that is for a single user on an otherwise variance-worthy lot is provided no relief from parking requirements and standards. This will often result in the lot not being developed and contributing to blight in its vicinity.

To address these problems, the new parking ordinance proposes the following:

- Remove the variance limitations that are specifically for parking and allow the Planning Commission to determine appropriate remedies;
- Slight reduction in some parking standards to promote housing affordability;
- Create a simple streamlined process to allow shared parking without a conditional use permit.

### Missed Opportunities

The most frustrating part of the parking problem in Hawthorne is the Municipal Code’s contribution to the issue. On residential lots of the City there are often unused parking spaces while simultaneously street parking is scarce. In high-density neighborhoods there are usually empty parking spaces that are assigned to units who do not need all the spaces they are assigned, but these are prohibited by the HMC from being rented to other tenants who have more vehicles than spaces to park them. Although this regulation is largely ignored and essentially unenforceable, removing it will provide some small relief where landlord do follow the regulation. In commercial areas there are businesses with parking that is far in excess of their need, but they are required by the Zoning Code to have the spaces anyway and cannot lease them to residents or businesses in the vicinity that are short on parking.

To address these problems, the new parking ordinance proposes the following:

- Remove the prohibition on leasing unused parking spaces;
- Stop requiring all parking spaces to be assigned to individual units.

### Summary

The attached ordinance proposes several new ways of looking at parking on private property. It tries to remove barriers that stand in the way of the City achieving its full potential. There are also significant cuts to red tape related to parking in the draft ordinance. The overall goal is to put parking back into the role of accessory to the main uses of land, rather than giving it such prominence that developers design around the automobile spaces—a clear example of misplaced priorities.

### GENERAL PLAN COMPLIANCE

The adoption of this ordinance does not alter the Zoning Code’s compliance with the General Plan.

### PUBLIC HEARING NOTICE

The Planning Commission public hearing for this ordinance was published in the March 20, 2025, edition of the South Bay Cities (Hawthorne Press Tribune). Additionally, notices were posted in accordance with HMC 17.06.050. See Exhibit 2.

## ENVIRONMENTAL ANALYSIS

This zone text amendment endeavors to clarify portions of the zoning code that can be difficult to find and understand by those it seeks to regulate. This is determined not to be a project under CEQA (Pub. Resources Code, § 21065) and to the extent these changes result in a reduction in the available parking, any negative impact will be offset by reliance on alternate means of transportation and public parking availability.

## **RECOMMENDATION**

Adopt PC Resolution 2025-05 recommending the City Council adopt an ordinance to address alcohol regulations.

## **ATTACHMENTS**

1. PC Resolution 2025-05 with attached draft Ordinance
2. Notice of Public Hearing Proof of Publication