

# *City of Brisbane*

## *Planning Commission Agenda Report*

TO: Planning Commission For the Meeting of 10/13/11

FROM: Tim Tune, Senior Planner, via John Swiecki, <sup>JAS</sup> Community Development Director

SUBJECT: **STUDY SESSION:** Implementation of Housing Element Programs H.B.3.b, H.B.3.i, HI.1.b & H.I.1.c, Regarding Parking Requirements

**RECAP:** At the September 8th study session, the Commission agreed with staff's suggestion that the previously recommended parking requirements for meeting halls, cultural facilities and places of worship be combined. At the Commission's request, staff consulted with the North County Fire Authority to update the draft language regarding the maximum slope permitted for driveways that serve as required fire apparatus access roads (see attached Redline Version of Parking Ordinance).

**STAFF ANALYSIS:** The purpose of this study session is to find answers to those questions raised in the previous study session reviews of the ordinance recommended by the Planning Commission in 2004:

- Should number of bedrooms play a greater role in the parking requirements?
- Is a requirement of more than 4 spaces per unit too much?
- Is it necessary to specifically require covered parking?
- Should on-street parking be administratively recognized as meeting any of the required parking for single-family residences? If so, should it only be recognized for houses not over 1,800 sq. ft.?
- Should the ordinance include provisions for in-lieu parking fees?
- Should new design standards for garages distinguish between existing and proposed garages? Or should the new design standards for garages just be eliminated?

Once these matters are resolved, a revised ordinance can be drafted to be formally considered at a future public hearing.

**Bedrooms and Floor Area:** Based upon the City's maximum 0.72 ft. floor area ratio and the long-standing standard of 2 spaces for a 25-ft. lot, the Planning Commission recommended in

2004 that the minimum requirement be 2 spaces for up to 1,800 sq. ft. of floor area (0.72 x 2,500 sq. ft.), with an additional space (up to a maximum of 6) for each additional 900 sq. ft. of floor area. The number of parking spaces required per unit would have been the same for single-family homes, secondary dwelling units, duplexes, multi-family dwellings, group homes, mobilehomes and condominiums, regardless of whether they are rented or owner-occupied. The current standards for multi-family dwellings based upon number of bedrooms would have been repealed, avoiding disputes such as whether a den with a closet should be counted as a bedroom.

Because the State uses number of bedrooms as the basis for its parking standards in regards to secondary dwelling units and concessions for density bonus units, the 2007-2014 Housing Element called for a second look at bedroom-based parking standards. Housing Element Program H.I.1.b states, "Revise the residential parking requirements so as to be based upon floor area and/or number of bedrooms, consistent for single-family dwellings, secondary dwelling units, duplexes and multi-family dwelling units."

During the recent study sessions on updating the parking ordinance, the Commission has indicated a willingness to consider requiring only 1 space for units not exceeding 900 sq. ft. and with no more than one bedroom ("one room at least seventy (70) square feet in area and not less than seven (7) feet in any plan dimension and located along an exterior wall, other than a living room, a kitchen, a dining room in proximity to the kitchen, bathrooms, and a laundry room").

Floor Area	Parking Spaces
≤900 Sq. Ft.*	1
901-1,800 Sq. Ft.	2
1,801-2,700 Sq. Ft.	3
2,701-3,600 Sq. Ft.	4
3,601-4,500 Sq. Ft.	5
4,501 or More Sq. Ft.	6

\*Studio or 1-bedroom only

It was requested that further consideration be given to including the number of bedrooms in the previously recommended parking ratios based upon floor area. Combining the current Brisbane Municipal Code parking standards for multi-family units (1 off-street space for studio units, 1 ½ garages for 1-to-2-bedroom units, and 2 garages for 3-bedroom or larger units) with the 2004 recommended requirement as revised per the 7/14/11 study session would produce results as shown in the table on the following page.

Bedrooms	Floor Area	Parking Spaces
Studio/1 Bedroom	≤900 Sq. Ft.	1
Studio/1 Bedroom	>900 Sq. Ft.	1.5
2 Bedrooms		1.5
3 or More Bedrooms	≤1,800 Sq. Ft.	2
	1,801-2,700 Sq. Ft.	3
	2,701-3,600 Sq. Ft.	4
	3,601-4,500 Sq. Ft.	5
	4,501 or More Sq. Ft.	6

The reduced requirement for units “with no more than one room at least seventy (70) square feet in area and not less than seven (7) feet in any plan dimension and located along an exterior wall, other than a living room, a kitchen, a dining room in proximity to the kitchen, bathrooms, and a laundry room” was intended to avoid the issue of trying to define “bedroom.” That terminology becomes more problematic with larger units, because they will likely have more types of rooms (family room, rec room, home office) that might or might not be used as bedrooms. If a combination of number of bedrooms and total floor area is used in the residential parking regulations (see below), then the requirement should take into consideration the possibility that some rooms not proposed as bedrooms may end up being used as bedrooms.

Bedrooms	Floor Area (Sq. Ft.)	Parking Spaces
Studio/1 Bedroom	≤900	1
Studio/1 Bedroom	≥901	1.5
2 Bedrooms	≤900	1.5
	901-1,800	2
	1,801-2,700	3
	2,701-3,600	4
	3,601-4,500	5
	4,501 or More	6
3 or More Bedrooms	≤1,800	2
	1,801-2,700	3
	2,701-3,600	4
	3,601-4,500	5
	4,501 or More	6

Because the fractional requirement would be rounded up, a 900 sq. ft. single-family residence with 2 bedrooms would still be required to provide 2 parking spaces. Duplexes and multi-family dwellings not exceeding 900 sq. ft. would typically be required to provide fewer parking spaces under this approach than under the 2004 recommended ordinance.

There are other approaches that could be taken to combine floor area and number of bedrooms. For example, using the State standard of 1 off-street space per bedroom for secondary dwelling units [California Government Code Section 65852.2(e)] in combination with the recommended floor area standard, the following could result:

Bedrooms	Floor Area (Sq. Ft.)	Parking Spaces
Studio/1 Bedroom	≤900	1
	901-1,800	2
	1,801-2,700	3
	2,701-3,600	4
	3,601-4,500	5
	4,501 or More	6
2 Bedrooms	≤1,800	2
	1,801-2,700	3
	2,701-3,600	4
	3,601-4,500	5
	4,501 or More	6
3 Bedrooms	≤2,700	3
	2,701-3,600	4
	3,601-4,500	5
	4,501 or More	6
4+ Bedrooms	2,701-3,600	4
	3,601-4,500	5
	4,501 or More	6

**Maximum Requirement:** The current parking ordinance has a maximum requirement of 4 spaces per dwelling unit. The 2004 recommended ordinance would have required 5 spaces for units of 3,601 to 4,500 sq. ft. and 6 spaces for units over 4,500 sq. ft. The Planning Commission should confirm that it still wants to follow this approach.

Staff's review of 241 jurisdictions in California in 2004 found 9 that used floor area to calculate the parking required for single-family residences. Only one of those, the City of Glendale, required more than 4 spaces per unit, and then only for units over 8,000 sq. ft.

A survey of the parking and floor area data for all of the single-family residences in the R-1 District for which information was available in 2008 (727 units out of a total of approximately 1,068 detached units then existing) found that the recommended changes would increase the number of parking spaces required for 2% of the residences reviewed and decrease it for 72%. Reportedly, there are only 9 dwelling units in Brisbane that exceed 3,600 sq. ft. in floor area (excluding up to 400 sq. ft. of garage):

ADDRESS	FLOOR AREA (SQ. FT.)*	OFF-STREET PARKING
51 Mariposa Street	4,722	2-car garage + 3-car driveway**
276 Sierra Point Road	4,495	2-car garage + 1-car driveway** + 2 perpendicular off-street
4050 Bayshore Boulevard	4,462	3-car garage + 1-car driveway***
728 Humboldt Road	4,230	3-car garage + 3-car driveway
100 Kings Road	4,159	2-car garage + 2-car driveway + 2 parallel off-street****
325 Humboldt Road	4,071	2-car garage + 2-car driveway
201 Tulare Street	3,996	2-car garage + 2-car driveway
90 Santa Clara Street	3,955	2-car garage + 2-car driveway
215 Tulare Street	3,652	2-car garage + 2-car driveway

\*excluding up to 400 sq. ft. of garage/carport per 2004 draft ordinance

\*\*3-in-tandem arrangement

\*\*\*while maintaining on-site turnaround capability

\*\*\*\*entirely located within the public right-of-way

Only one of these would comply with the 2004 recommended parking requirements. An additional one would comply, if 3-in-tandem parking were accepted per staff's suggestion:

*F. Tandem parking. Tandem parking where no more than one parking space need be vacant to access another parking space shall be recognized as meeting the parking requirements for residential uses, as long as the parking spaces for each unit are accessible independently from those for any other unit. For single-family dwelling units over 3,600 square feet in floor area, three-in-tandem parking arrangements are acceptable in meeting the parking requirements.*

Counts of vehicles parked at these larger homes have found the apparent demand for more than 4 parking spaces sporadically at four of the nine addresses (see attached survey results).

**Covered Parking:** Currently, 1 of the 2 spaces required for a single-family dwelling on a 25-ft. lot must be covered, with 2 covered spaces being required for larger lots. BMC Section 17.02.175 defines “covered parking” as “a garage or carport that provides full overhead protection from the elements with ordinary roof coverings” (also see BMC Section 17.02.120 for the definition of “carport” and BMC Section 17.02.340 for the definition of “garage”).

Following this practice, one of the first two spaces required by the 2004 recommended ordinance would have to be covered. If three or more spaces were required, one more space would have to be covered. Note that this would change the current requirement that all of the parking spaces for duplex and multiple-family units containing 1 or more bedrooms be “garage” spaces (defined by BMC Section 17.02.340 as being “enclosed on three (3) or more sides”). No covered parking is currently required for studio multi-family units or secondary dwelling units, and it has been suggested that none be required under the proposed ordinance for studio and 1-bedroom units not exceeding 900 sq. ft. in floor area.

It has been questioned why the Zoning Ordinance should specify that any of the required parking be covered. It was noted that garages (and even carports) are more likely to be used for purposes other than parking, increasing the demand for on-street parking. On the other hand, covered parking can screen vehicles from view, provide security, reduce glare from windshields, and keep vehicles cooler which can improve fuel efficiency. In addition, even if the City did not require covered parking, the market would demand it.

**Parking within the Public Right-of-Way:** In basing its new parking requirements upon the current parking standard for a single-family home on a 25 ft. wide lot (“2 off-street parking spaces, 1 of which shall be in a garage or carport”), the Planning Commission recommended in 2004 that the required parking for all residential properties should be provided off-street. This would be a significant change for single-family homes on sites with more than 25 ft. of frontage, since on-street parking along their frontages had been recognized as meeting the requirement for additional parking spaces beyond the first two.

BMC Section 17.34.010 would be revised to read, “All *off-street parking* facilities shall be on-site unless specified differently *in this Chapter or as permitted under Title 12 of this Code,*” using the term defined in BMC Section 17.02.580. Parking located off of the street but still within the public right-of-way (such as within the portion of a driveway located off site connecting to the street) could still be recognized per Section 17.34.050.G:

*17.34.050.G. Off-street parking facilities within the public right-of-way may be approved by the city engineer only for single-family residences, secondary dwelling units and duplexes, subject to the following requirements:*

*1. The parking space shall not be located within a portion of the right-of-way required for street widening to comply with Section 12.24.010.B.1.*

2. *The parking space shall not block any portion of a required sidewalk.*
3. *The parking space shall be located so as to minimize its impact upon any existing on-street parking.*
4. *Standard-size spaces perpendicular to the street shall be located so as to have twenty-six (26) feet of clearance in which to back into the street and turn forward. Compact spaces shall be located so as to have twenty (20) feet of such clearance. The required clearance shall not conflict with any designated on-street parking spaces on the opposite side of the street.*
5. *Parking spaces shall not be located so that more than one space must be vacant in order to access another space.*

To clarify that a parking bay (parallel parking per Section 17.34.040.E located entirely off-street but still within the public right-of-way) not located in whole or in part on private property should be treated as public parking, an additional subsection is suggested by staff to be added:

6. *Parking spaces located entirely within the public right-of-way immediately parallel to but off of the street shall not be recognized as required parking without the approval of the Planning Commission per Section 17.34.050.I.*

An intention of the 2004 recommended ordinance was that new houses being constructed and existing houses being significantly expanded should have to provide their required parking off-street to avoid increasing the demand for existing on-street parking that is used by existing houses with nonconforming parking. Parking located on the street would not be administratively recognized as meeting a specific site's requirement, because such parking is available for anyone's use.

The implications of the 2004 recommended change for single-family residences would depend upon a property's lot frontage and floor area. For houses on 25 ft. lots in compliance with the floor area ratio limit (1,800 sq. ft. maximum on a 2,500 sq. ft. site), there would be no change in the parking requirement, which had always required the parking be provided off-street. For moderate-size houses from 1,801 to 3,600 sq. ft. in area, the recommended requirements would shift some of the required spaces from the street to off the street. Houses larger than 3,600 sq. ft. would require more off-street parking spaces than previously required. The impact to multi-family development would be most felt by 1 to 2 bedroom units over 900 sq. ft. in floor area, for which the parking requirement would increase from 1.5 spaces to 2 spaces, and for any units over 1,800 sq. ft., for which more than 2 spaces would be required.

In terms of existing dwellings becoming nonconforming as a result of the recommended change, a survey of the parking and floor area data for all of the single-family residences in the R-1 District for which information was available in 2008 (727 units out of a total of approximately

1,068 detached units then existing) found that while 46% of them rely upon on-street parking to help meet the current requirements, only 20% would become nonconforming under the 2004 recommended ordinance due to that reliance (52% would stay conforming, and 26% that were already nonconforming would stay that way). This is largely due to the reduced parking requirement for houses not over 1,800 sq. ft. on sites with more than 25 ft. of frontage. In some cases, such as any house with not more than 2,700 sq. ft. of floor area on a site with 37.5 ft. of frontage or more, the number of required parking spaces would actually be reduced.

Per BMC Sections 17.38.080-090, rendering a residential structure nonconforming in terms of required parking does not affect the maintenance, repair or even replacement of the building. Nonconforming status only restricts the potential to expand the structure by more than 400 cumulative sq. ft. to single-family residences (BMC Section 17.34.110). Exceptions may be granted on a case-by-case basis via Use Permit (BMC Section 17.34.115 and Section 17.34.050.I of the 2004 recommended ordinance) or Variance (California Government Code Section 65906.5, BMC Section 17.38.080.C and Section 17.34.050.J of the recommended ordinance).

If the Commission is nonetheless concerned that the 2004 recommended ordinance would impact too many residences, it could be revised to accept on-street parking as meeting the parking requirements under certain circumstances. The ordinance could specify that only on-street parking spaces that meet Caltrans width and length standards for parallel spaces (per BMC Section 12.24.010.A) where they would not encroach on the 20 ft. width required for two lanes of traffic (per BMC Section 12.23.010.B.1) would be recognized administratively.

To accomplish this, recommended Section 17.34.050.G would be expanded to address recognizing required parking spaces located partially or entirely on the street, in addition to off-street parking facilities (BMC Section 17.02.580). Subsection 1 could be clarified so as not to appear to be limited to projects that actually trigger the street widening requirements per BMC Sections 15.08.140 & 17.01.060.A.2. Subsection 3 could be deleted, since such on-street parking is already addressed by BMC Section 12.24.015. Subsection 4 could be deleted, since this issue is already addressed by BMC Section 17.32.070.A.3.a. Subsection 5 could be deleted, because tandem parking will be addressed by Section 17.34.040.F. A new subsection should be added to cross reference existing requirements in BMC Title 12, Streets, Sidewalks and Public Places, regarding encroachment permits, curb cuts and driveways (the design standards for parallel parking spaces, based upon Caltrans standards per BMC Section 12.24.010.A, were included in the 2004 recommended ordinance in Section 17.34.040.E). Another subsection could be added to make clear that Planning Commission approval would be required to accept an uncovered off-site space for a required covered on-site space.

*G. Required parking spaces within the public right-of-way at the property's frontage may be recognized administratively subject to the city engineer's approval Off-street parking facilities within the public right-of-way*



~~may be approved by the city engineer only for single-family residences, secondary dwelling units and duplexes, subject to the following requirements:~~

~~1. The parking space shall not be located within a portion of the right-of-way that could be required for lanes of traffic per street widening to comply with Section 12.24.010.B.1.~~

~~2. The parking space shall not block any portion of a required sidewalk.~~

~~3. The parking space shall be located so as to minimize its impact upon any existing on-street parking.~~

~~4. Standard size spaces perpendicular to the street shall be located so as to have twenty six (26) feet of clearance in which to back into the street and turn forward. Compact spaces shall be located so as to have twenty (20) feet of such clearance. The required clearance shall not conflict with any designated on-street parking spaces on the opposite side of the street.~~

~~5. Parking spaces shall not be located so that more than one space must be vacant in order to access another space.~~

~~3. The parking space shall comply with Sections 12.05.020 and 12.24.015, as applicable.~~

~~4. An uncovered space within the public right-of-way shall not be recognized as meeting the requirement for a covered parking space without the approval of the Planning Commission per Section 17.34.050.I.~~

The ordinance could then also restrict the size of single-family dwellings for which such on-street parking would be accepted. If specifically intended to reduce the number of residences that would become nonconforming under the 2004 recommended ordinance without encouraging very large houses, the approach would be to administratively recognize on-street parking only for single-family residential units not exceeding 1,800 sq. ft. This should only apply to the second required parking space, so that units not exceeding 900 sq. ft. and 1 bedroom would still have to provide one off-street space. Units larger than 900 sq. ft. but not over 1,800 sq. ft. would still have to provide one covered space (Section 17.34.050.G.4). As noted above, 20% of the 727 single-family residences surveyed in 2008 would become nonconforming under the 2004 recommended ordinance due to their reliance upon on-street parking. Of these, more than half were less than 1,800 sq. ft. in floor area and have on-street parking at their lot frontage (the study did not confirm whether such on-street parking was located outside the standard lanes of traffic). Accordingly, Subsection 1 of recommended Section 17.34.050.G would be revised further:

*1. The parking space shall not be located within a portion of the right-of-way that could be required for lanes of traffic per street widening to comply with Section 12.24.010.B.1. A parallel parking space located in whole or in part on the street may be recognized as the second required parking space for units not exceeding 1,800 square feet in floor area only.*

Note that this would somewhat reverse the approach taken by the existing ordinance, which essentially requires that all of the parking spaces for smaller sites be located off-street, with the additional parking required for larger sites permitted to be on- or off-street.

On the other hand, if on-street parking is not going to be recognized, then the references to “parking facilities” in Sections 17.34.050.A & 17.34.050.A.4 should be clarified as “off-street parking facilities”--

**17.34.050 Exemptions, exceptions and modifications.**

**~~17.34.110 Exemption for minor expansion of single family dwelling.~~**

A. An existing single-family dwelling which does not have *off-street* parking facilities that conform with the requirements of this chapter may be expanded by a cumulative total of not more than four hundred (400) square feet without the need to bring the parking facilities into conformance or to obtain a use permit under Section ~~17.34.115~~ **17.34.050H** of this chapter, subject to the following restrictions and requirements:

...

~~5.~~ The expansion shall not result in the loss of any existing off-street parking spaces, or the conversion of a covered parking space to an uncovered parking space, or otherwise increase the nonconformity of the existing *off-street* parking facilities.

...

**In-Lieu Parking Fee:** The possibility of an in-lieu parking fee was raised as a possible solution in situations where the parking requirement cannot be met for a proposal to significantly enlarge an existing house. The City Attorney advises that this would require adoption of an ordinance that would have to: (1) identify a specific project for the development of parking spaces; (2) include plans and specifications for the construction of such project; (3) include a cost estimate for the project, including indirect costs; (4) identify properties that would be subject to the in lieu fee; and (5) allocate the project cost to the properties that would be benefited by the project, such cost to be payable upon any development or improvement of those properties. These features would define the in-lieu fee as a development fee as distinguished from a general tax, special tax, or property-related fee. An in-lieu fee could be established for an entire zoning district (if the facilities will be constructed somewhere within that district), but a random fee having no direct relationship to an identified project could not just be charged to anyone who could not provide the required number of parking spaces.

The Public Works Director adds that there would be a lag time between when the expansion project is allowed to proceed and when the funded parking improvement project would be completed, during which time the neighborhood’s on-street parking supply would be impacted.

Note that although BMC Section 17.34.060 makes reference to a public parking assessment district, one has not been formed (the fund set aside from the Northeast Ridge project for a downtown parking lot went toward the City Hall remodel project instead), and this section was recommended for deletion in 2004.

Thus, it appears that adoption of an in-lieu parking fee is somewhat beyond the scope of the Zoning Ordinance and the Planning Commission's purview.

**Garage Dimensions and Garage Doors:** Under the current regulations, the interior of a garage in compliance with the parking regulations could be as small as 16 ft. by 16 ft., which does not provide much room to open vehicle doors or easily walk around the vehicle. To address this, the Planning Commission recommended in 2004 that two-car garages be required to be built with at least 20 ft. by 20 ft. of clear space inside, generally providing an additional 1 ft. of clearance between a parked vehicle and any adjoining wall. Adjustments would be necessary on narrow lots in order to comply with the minimum required 3 ft. side setbacks. Garages for three or more parking spaces would have to comply with Tables 1 & 2 and the following standards for clearances from obstructions.

*G. Obstructed parking spaces.*

*1. Any parking space next to a wall or similar obstruction shall have 1 ft. of additional width to provide clearance between a vehicle and the obstruction.*

*2. No washing machines, driers, water heaters, work benches, support posts and similar obstructions could be located within the area of any required 9 ft. by 18 ft. standard parking space or 8 ft. by 16 ft. compact parking space. No doors shall be designed to swing open into the area of any required parking space.*

*H. Garage design.*

*1. Garages enclosing required parking spaces shall comply with the following:*

<u>Garage Type</u>	<u>Minimum Width</u>	<u>Minimum Depth</u>
Single-car garage	10 ft.	20 ft.
Two-car garage		
On lots < 27 ft. wide	18 ft.	20 ft.
All other sites	20 ft.	20 ft.
2-in-tandem garage	10 ft.	40 ft.

*2. All garage doors shall be of a roll-up sectional design and shall be equipped with automatic garage door openers, except in those cases subject to an exemption for minor expansion of a single-family dwelling or where it can be demonstrated to the City Engineer's satisfaction that an alternative garage door type can be operated with an eighteen (18) foot long vehicle stopped in the driveway without*

*blocking lanes of traffic or a required sidewalk, or where the Building Official determines that it is not structurally feasible to retrofit an existing garage.*

Note the requirement for roll-up sectional garage doors with automatic openers. As a standard condition of approval for Use Permits to modify the parking regulations, roll-up sectional garage doors have been required as a condition of approval for Use Permits to modify the parking regulations where a car parked in the driveway would block garage doors that either swing upward or to the side. This allows access to the garage while a vehicle may be parked in the driveway directly in front of the door. In addition, automatic garage door openers have been required as a Use Permit condition of approval where the driveway is too short to park a car, so as to allow the driver to open the garage door without stopping the car in traffic or blocking the sidewalk.

To avoid rendering more existing residences nonconforming, because their garages would not comply with the proposed minimum required dimensions or garage door requirements, the City Attorney suggests that the following language could be used to establish a different standard for new garages, so that existing garages that did not comply with the new standard would not be considered nonconforming:

*G. Obstructed parking spaces.*

*1. Any parking space next to a wall or similar obstruction in a garage or carport constructed after \_\_\_\_ [the date this section takes effect], excluding those rebuilt subject to Section 17.38.080 or 17.38.090, shall have 1 ft. of additional width to provide clearance between a vehicle and the obstruction.*

*2. No washing machines, driers, water heaters, work benches, support posts and similar obstructions shall ~~could~~ be located within the area of any required 9 ft. by 18 ft. standard parking space or 8 ft. by 16 ft. compact parking space. No doors shall be designed to swing open into the area of any required parking space.*

*H. Garage design.*

*1. Garages constructed after \_\_\_\_ [the date this section takes effect], excluding those rebuilt subject to Section 17.38.080 or 17.38.090, enclosing required parking spaces shall comply with the following:*

<u>Garage Type</u>	<u>Minimum Width</u>	<u>Minimum Depth</u>
Single-car garage	10 ft.	20 ft.
Two-car garage		
On lots < 27 ft. wide	18 ft.	20 ft.
All other sites	20 ft.	20 ft.
2-in-tandem garage	10 ft.	40 ft.

*2. For garages constructed after \_\_\_\_ [the date this section takes effect], excluding those rebuilt subject to Section 17.38.080 or 17.38.090, garage AH*

~~garage doors shall be of a roll-up sectional design and shall be equipped with automatic garage door openers, except in those cases subject to an exemption for minor expansion of a single-family dwelling or where it can be demonstrated to the City Engineer's satisfaction that an alternative garage door type can be operated with an eighteen (18) foot long vehicle stopped in the driveway without blocking lanes of traffic or a required sidewalk, or where the Building Official determines that it is not structurally feasible to retrofit an existing garage.~~

Note that existing nonconforming garages or carports that are damaged or destroyed can be rebuilt as they were per BMC Sections 17.38.080-090) without have to comply with the new standards.

In addition, an exemption could be included under Section 17.34.050, such as:

~~For the purposes of determining conformity with the requirements of this chapter, a single-car garage in existence as of \_\_\_ [the date this section takes effect], the interior of which is not less than 8 ft. wide and not less than 16 ft. deep, shall be recognized as providing one covered parking space; and a two-car garage in existence as of \_\_\_ [the date this section takes effect], the interior of which is not less than 16 ft. wide or deep, shall be recognized as providing two covered parking spaces.~~

On the other hand, small garages might not be totally unworkable. Residents get used to squeezing into their own garages, where someone unfamiliar with a tight garage might balk at even attempting to park there. In that case, it might be best to delete these recommended changes to avoid increasing the number of nonconforming structures.

**RECOMMENDATION:** Provide direction to staff to prepare a draft ordinance for recommendation to the City Council.

**ATTACHMENTS:**

“Redline” Version of Parking Ordinance Amendments Recommended by the Planning Commission in 2004

VEHICLES PARKED AT HOUSES AT LEAST 3,600 SQ. FT. IN FLOOR AREA

ADDRESS	FLOOR AREA (SQ. FT.)*	OFF-STREET PARKING	PARKED CARS		
			Wednesday 9/21/11 7-7:30 p.m.	Thursday 9/22/11 6-6:15 p.m.	Wednesday 10/5/11 7-7:20 p.m.
51 Mariposa Street	4,722	2-car garage + 3-car driveway**	garage: unknown driveway: 3 off-street: 1	garage: unknown driveway: 2 off-street: 1	garage: unknown driveway: 4 off-street: 0
276 Sierra Point Road	4,495	2-car garage + 1-car driveway** + 2 perpendicular off-street	garage: unknown driveway: 0 off-street: 2	garage: unknown driveway: 0 off-street: 2	garage: unknown driveway: 0 off-street: 1
4050 Bayshore Boulevard	4,462	3-car garage + 1-car driveway***	garage: unknown driveway: 1	garage: unknown driveway: 0	garage: unknown driveway: 1 off-street: 0
728 Humboldt Road	4,230	3-car garage + 3-car driveway	garage: unknown driveway: 0	garage: unknown driveway: 0	garage: unknown driveway: 1 off-street: 0
100 Kings Road	4,159	2-car garage + 2-car driveway + 3 parallel off-street****	garage: unknown driveway: 0 off-street: 2	garage: unknown driveway: 0 off-street: 1	garage: unknown driveway: 0 off-street: 3
325 Humboldt Road	4,071	2-car garage + 2-car driveway	garage: unknown driveway: 1	garage: unknown driveway: 0	garage: unknown driveway: 0
201 Tulare Street	3,996	2-car garage + 2-car driveway	garage: unknown driveway: 0 off-street: 2	garage: unknown driveway: 0	garage: unknown driveway: 1 off-street: 1
90 Santa Clara Street	3,955	2-car garage + 2-car driveway	garage: unknown driveway: 1 off-street: 2	garage: unknown driveway: 0 off-street: 1	garage: unknown driveway: 1 off-street: 2
215 Tulare Street	3,652	2-car garage + 2-car driveway	garage: unknown driveway: 0 off-street: 2	garage: unknown driveway: 0 off-street: 1	garage: unknown driveway: 2 off-street: 1

\*excluding up to 400 sq. ft. of garage/carport per 2004 draft ordinance

\*\*3-in-tandem arrangement

\*\*\*while maintaining on-site turnaround capability

\*\*\*\*entirely located within the public right-of-way

"REDLINE" VERSION OF PARKING ORDINANCE AMENDMENTS  
RECOMMENDED BY THE PLANNING COMMISSION IN 2004  
(UPDATED FOR 10/13/11 MEETING)

Proposed changes in the current Municipal Code are indicated ~~by striking through~~ the existing language to be deleted and putting the new language *in italics*. Further description of the changes is shown in **CAPITAL LETTERS**. The further revisions suggested in the agenda reports for the 7/14/11, 7/28/11, 8/25/11, 9/8/11 & 10/13/11 Planning Commission meetings are shown in **blue**. Note that the amendments adding Sections 17.34.085 and 17.34.095 that were adopted in 2011 per Ordinance No. 556 are included in this version of the recommended ordinance.

~~THE FOLLOWING REVISIONS RELATE TO PROPOSED SECTION 17.34.050.H (NOTE THAT WITH THE 2005 ADOPTION OF BMC SECTION 12.24.010.E PROHIBITING PRIVATE STREETS, IT MAY APPROPRIATE TO ELIMINATE SECTIONS 17.02.750.A & B AND REVISE SECTION 17.02.750 TO REPLACE "providing" WITH "that is owned and maintained by the city, the county, the state, or any other governmental agency and that provides"):~~

~~17.02.220 — Driveway. "Driveway" means a private roadway which provides access to off street parking or loading spaces on a single site, unless otherwise approved by the planning commission, the use of which is limited to persons residing or working on the site and their invitees, licensees and business visitors.~~

~~17.02.750 — Street. "Street" means a right of way for motor vehicles providing a means of access to two (2) or more sites, excluding a driveway approved by the planning commission to be shared in common by more than one site.~~

~~A. "Public street" means a street owned and maintained by the city, the county, the state, or any other governmental agency, including streets which have been regularly maintained or improved by the city.~~

~~B. "Private street" means a street in private ownership approved by the city for motor vehicle travel by the owners of the street and persons having express or implied permission from the owners to use such street.~~

**THE FOLLOWING IS A REVISION TO SECTION 17.06.040 OF THE R-1 RESIDENTIAL DISTRICT:**

- D. Setbacks. The minimum required setbacks for any lot shall be as follows:
1. Front setback: fifteen (15) feet, with the following exceptions:
    - a. Where the lot has a slope of fifteen percent (15%) or greater, the minimum front setback may be reduced to ten (10) feet.
    - b. Where fifty percent (50%) or more of the lots of record in a block have been improved with single-family dwellings, the minimum front setback may be the average distance of the front outside wall of the single-family structures from the front lot line, if less than fifteen (15) feet. *Notwithstanding the foregoing, the minimum front setback for garages or carports shall be ten (10) feet, except where a lesser distance is determined by the city engineer to be safe in terms of pedestrian and vehicular traffic.*

2. Side setback: five (5) feet, with the exception that a lot having a width of less than fifty (50) feet may have a side setback reduced to ten percent (10%) of the lot width, but in no event less than three (3) feet or the minimum setback required by the Uniform Building Code, whichever is greater. *Notwithstanding the foregoing, the minimum side setback for garages or carports accessed from a street or alley along that side of the lot shall be ten (10) feet, except where a lesser distance is determined by the city engineer to be safe in terms of pedestrian and vehicular traffic.*

3 Rear Setback: ten (10) feet

**THE FOLLOWING IS A REVISION TO SECTION 17.08.040 OF THE R-2 RESIDENTIAL DISTRICT:**

D. Setbacks. The minimum required setbacks for any lot shall be as follows:

1. Front setback: fifteen (15) feet, with the following exceptions:

a. Where the lot has a slope of fifteen percent (15%) or greater, the minimum front setback may be reduced to ten (10) feet.

b. Where fifty percent (50%) or more of the lots of record in a block have been improved with single-family dwellings, duplexes or multiple-family dwellings, or any combination thereof, the minimum front setback for single-family dwellings may be the average distance of the front outside wall of the residential structures from the front lot line, if less than fifteen (15) feet. *Notwithstanding the foregoing, the minimum front setback for garages or carports shall be ten (10) feet, except where a lesser distance is determined by the city engineer to be safe in terms of pedestrian and vehicular traffic.*

2. Side Setbacks: Side setbacks shall be five (5) feet, with the exception that a lot having a width of less than fifty (50) feet may have a side setback reduced to ten percent (10%) of the lot width, but in no event less than three (3) feet or the minimum setback required by the Uniform Building Code, whichever is greater. *Notwithstanding the foregoing, the minimum side setback for garages or carports accessed from a street or alley along that side of the lot shall be ten (10) feet, except where a lesser distance is determined by the city engineer to be safe in terms of pedestrian and vehicular traffic.*

3. Rear Setback: ten (10) feet.

**THE FOLLOWING IS A REVISION TO SECTION 17.10.040 OF THE R-3 RESIDENTIAL DISTRICT:**

D. Setbacks. The minimum required setbacks for any lot shall be as follows:

1. Front Setback: fifteen (15) feet, with the following exceptions:

a. Where the lot has a slope of fifteen percent (15%) or greater, the minimum front setback may be reduced to ten (10) feet.

b. Where fifty percent (50%) or more of the lots of record in a block have been improved with single-family dwellings, duplexes or multiple-family dwellings, or any combination thereof, the minimum front setback for single-family dwellings may be the average distance of the front outside wall of the residential structures from the front lot line, if less than fifteen (15) feet. *Notwithstanding the foregoing, the minimum front setback for garages or carports shall be ten (10) feet, except where a lesser distance is determined by the city engineer to be safe in terms of pedestrian and vehicular traffic.*



2. Side Setbacks: Side setbacks shall be five (5) feet, with the exception that a lot having a width of less than fifty (50) feet may have a side setback reduced to ten percent (10%) of the lot width, but in no event less than three (3) feet or the minimum setback required by the Uniform Building Code, whichever is greater. *Notwithstanding the foregoing, the minimum side setback for garages or carports accessed from a street or alley along that side of the lot shall be ten (10) feet, except where a lesser distance is determined by the city engineer to be safe in terms of pedestrian and vehicular traffic.*

3. Rear Setback: ten (10) feet.

[INSERT SIMILAR REVISION TO SECTION 17.12.040.D.2 IF THE CITY COUNCIL APPROVES ZONING TEXT/MAP AMENDMENT RZ-3-11]

Chapter 17.34 OFF-STREET PARKING

Sections:

- 17.34.010 *Purposes of chapter.*
- 17.34.020 **Minimum requirements.**
- ~~17.34.020 *Garages and carports*~~
- 17.34.030 *Use restrictions. Hillside lot improvement plans.*
- 17.34.040 *Design standards. On-site parking requirements.*
- 17.34.050 *Exemptions, exceptions and modifications. Joint use of parking facilities.*
- ~~17.34.060 *C-2 or H-1 district requirements.*~~
- ~~17.34.070 *Surfacing.*~~
- ~~17.34.080 *Handicapped parking.*~~
- ~~17.34.090 *Compact cars.*~~
- ~~17.34.100 *Parking lot landscaping.*~~
- ~~17.34.110 *Exemption for minor expansion of single family dwelling.*~~
- ~~17.34.120 *Driveway grades.*~~
- ~~17.34.130 *Tables.*~~

**17.34.010 Purposes of Chapter.**

*In addition to the objectives set forth in Section 17.01.030, the off-street parking requirements are included in the Zoning Ordinance to achieve the following purposes:*

- A. To provide for adequate off-street parking facilities by establishing clear relationships between building size and the off-street parking required, consistent with existing neighborhood standards, so as to minimize the parking impacts of development upon surrounding properties.*
- B. To encourage housing designed for residents with special needs, including persons with disabilities.*
- C. To facilitate the maintenance and improvement of the existing building stock.*
- D. To provide for parking lot landscaping and permeable paving alternatives to reduce air and stormwater pollution.*
- E. To minimize dependence on automobile travel by encouraging transportation alternatives in project design where appropriate.*
- F. To implement and promote the goals and policies of the General Plan so as to guide and manage development in the city in accordance with such plan.*

**17.34.020 Minimum requirements.**

A. The following minimum off-street parking requirements shall apply to all buildings erected, new uses commenced, and to the area of extended uses commenced after

the effective date of this Chapter. For any use not specifically mentioned in this Chapter, the planning commission shall determine the amount of parking required. All *required off-street parking facilities* shall be on-site unless specified differently *in this Chapter or as permitted under Title 12 of this Code*:

<u>Uses:</u>	<u>Parking Requirements:</u>												
<p><del>Single-family homes-dwellings;</del>  <i>Secondary dwelling units;</i>  <i>Duplexes;</i>  <i>Multiple family dwellings;</i>  <i>Mobilehome park units;</i>  <i>Group care homes</i></p> <p><del>Single-family homes on 25-foot lots</del></p> <p><del>Secondary dwelling units</del></p>	<p><del>2 garages or carports per living unit plus two on-street or off-street parking spaces for lots of 37.5 feet frontage or greater and one such space for lots less than 37.5 feet in frontage</del>  <i>Parking spaces based upon floor area per unit, according to the following chart:</i></p> <table border="0"> <thead> <tr> <th data-bbox="760 709 980 743"><u>Unit Floor Area:</u></th> <th data-bbox="1045 709 1260 743"><u>Parking Spaces:</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="760 760 964 827">&lt;=1,800 sq. ft.</td> <td data-bbox="1143 760 1425 827">2 spaces including 1 covered</td> </tr> <tr> <td data-bbox="760 831 997 865">1,801-2,700 sq. ft.</td> <td data-bbox="1045 831 1425 865">3 spaces including 1 covered</td> </tr> <tr> <td data-bbox="760 869 997 903">2,701-3,600 sq. ft.</td> <td data-bbox="1045 869 1425 903">4 spaces including 2 covered</td> </tr> <tr> <td data-bbox="760 907 997 940">3,601-4,500 sq. ft.</td> <td data-bbox="1045 907 1425 940">5 spaces including 2 covered</td> </tr> <tr> <td data-bbox="760 945 932 978">4,501+ sq. ft.</td> <td data-bbox="1045 945 1425 978">6 spaces including 2 covered</td> </tr> </tbody> </table> <p><i>Only 1 standard-size space shall be required for units not exceeding 900 sq. ft. and with no more than one room at least seventy (70) square feet in area and not less than seven (7) feet in any plan dimension and located along an exterior wall, other than a living room, a kitchen, a dining room in proximity to the kitchen, bathrooms, and a laundry room. The space need not be covered. For secondary dwelling units exceeding 900 sq. ft. or with more than one room as described above, the second required space also need not be covered.</i></p> <p><i>Additional guest parking spaces shall be provided for all developments of 4 5 (five) or more units, including residential subdivisions of 4 5 (five) or more single-family residences, at the rate of 1 parking space for every 4 5 (five) units, with no parking spaces required for any fractional remainders. The accessible parking spaces required per Section 17.34.040.D shall count as guest parking spaces.</i></p> <p><del>2 off-street parking spaces one (1) of which shall be in a garage or carport</del></p> <p><del>2 standard on-site parking spaces</del></p>	<u>Unit Floor Area:</u>	<u>Parking Spaces:</u>	<=1,800 sq. ft.	2 spaces including 1 covered	1,801-2,700 sq. ft.	3 spaces including 1 covered	2,701-3,600 sq. ft.	4 spaces including 2 covered	3,601-4,500 sq. ft.	5 spaces including 2 covered	4,501+ sq. ft.	6 spaces including 2 covered
<u>Unit Floor Area:</u>	<u>Parking Spaces:</u>												
<=1,800 sq. ft.	2 spaces including 1 covered												
1,801-2,700 sq. ft.	3 spaces including 1 covered												
2,701-3,600 sq. ft.	4 spaces including 2 covered												
3,601-4,500 sq. ft.	5 spaces including 2 covered												
4,501+ sq. ft.	6 spaces including 2 covered												

<p><del>Duplex or multiple family dwelling units</del>  <del>— 0 bedroom or bachelor apartments</del>  <del>— 1 and 2 bedroom units</del>  <del>— Over 2 bedrooms</del></p>	<p><del>1 off-street parking space.</del>  <del>1 ½ garage per living unit</del>  <del>2 garages per living unit.</del></p>
<p><i>Emergency shelters</i></p>	<p><i>0.35 space per bed plus 1 space per staff member on the largest shift.</i></p>
<p><i>Hotels, motels</i></p>	<p><del>As determined by use permit. 1 space per unit, plus applicable requirements for restaurants, bars and meeting halls.</del></p>
<p><i>Motels</i></p> <p><del>Trailer courts</del></p> <p><del>Rooming houses and boardinghouses</del></p>	<p><del>1 space per unit, plus applicable requirements for eating, drinking and assembly space.</del></p> <p><del>1 parking space per unit.</del></p> <p><del>1 parking space per adult guest</del></p>
<p><i>Cultural facilities — except theatres</i>  <i>Cultural facilities — theatres, meeting halls and places of worship</i>  <del>Churches, lodges, clubs, community centers, chapels</del></p>	<p><i>1 space for each 50 <del>300</del> square feet of assembly area floor area, or 1 space for each 4 fixed audience seats, whichever is greater, plus 1 space for each 300 square feet of the remaining floor area of the building (meeting rooms not exceeding 750 square feet and ancillary to an office use shall be included with the floor area of the office in calculating the parking requirement for the office use).</i></p> <p><del>1 parking space for each 4 person capacity, but not less than one space for each 15 square feet of the largest meeting hall</del></p>
<p><i>Commercial recreation</i></p>	<p><i>3 spaces per ball court;  2.5 spaces per batting cage;  4 spaces per lane for bowling alleys;  2 spaces per tee for golf courses;  20 spaces per playing field;  2 spaces per shooting range;  2 spaces per horse stall for stables;  1 space per 100 square feet of water area for swimming pools.</i></p> <p><i>For commercial recreation uses that do not fall</i></p>

	<i>within the above categories, 1 parking space shall be required for every 4 fixed seats for spectators, 1 parking space per each 200 square feet of floor area used for indoor commercial recreation, and 1 parking space per each 1,000 square feet of site area used for outdoor commercial recreation.</i>
<i>Marinas</i>	<i>1 space per 0.75 berths.</i>
<i>Meeting halls</i>	<i>1 space for each 50 square feet of floor area, except that the floor area of any meeting hall not exceeding 750 square feet and ancillary to an office use shall be included with the floor area of the office in calculating the parking requirements for the office use.</i>
<i>Places of worship</i>	<i>1 space for each 50 square feet of floor area of the largest assembly room, plus 1 space for each 300 square feet of the remaining floor area of the building.</i>
Schools - public private or commercial	1 space for each classroom and office.
Hospitals	1 space per bed plus 1 space for each 2 employees on the largest shift.
Financial services	1 space for each 200 square feet of gross floor area.
Administrative office	1 space for each 300 square feet of gross floor area.
Professional office	1 space for each 250 square feet of gross floor area.
Retail stores, restaurants, bars, offices	1 space for each 300 square feet of gross floor area.
Service stations	2 spaces for each working bay plus 1 space for each employee on the largest shift.
<del>Bowling alley, billiard parlor</del>	<del>5 spaces per lane; 2 spaces per table, plus 1 space for each employee on the largest shift</del>
<del>Warehousing, light fabrication, food production, media studios,</del>	<del>Minimum of 2 spaces for every 3 employees on the largest shift, but not less than 1 space for</del>

<del>printing wholesale stores, manufacturing, industrial uses, highway commercial uses</del>	each 1,000 square feet of gross floor area. <del>Parking may be off site within 300 feet upon approval of the planning commission.</del>
Convalescent hospitals, sanitariums, rest homes	1 space for each 7 beds plus 1 space for each 2 employees on the largest shift.

*B. The minimum off-street parking requirements shall be calculated according to the following:*

*1. All references to square feet shall be in regards to floor area as defined in Chapter 17.02. The floor area of garages and carports shall not be included in measuring floor area to calculate the parking requirements, except for any floor area exceeding 400 square feet within a garage or carport exclusively for the use of a single residential unit.*

*2. When more than one use subject to the parking requirements occupies a site, the requirements for each use shall be calculated separately. ~~3. The floor area occupied by accessory uses, such as hallways, bathrooms, breakrooms, utility rooms and storage closets, shall be included in the calculation of the parking requirements for the associated primary use.~~*

*3. No parking shall be required for ~~Accessory structures~~ **not exceeding** 200 square feet or less in floor area ~~shall be excluded from the calculation.~~*

*4. When application of the parking requirements results in a fractional number, all fractions shall be rounded up from 0.5 to the next whole number, except when specified otherwise. No parking shall be required for uses for which the requirement is less than 0.5 space.*

**17.34.020 Garages and carports 17.34.030 Use restrictions.**

*A. Required parking spaces, whether in a garage, carport or open area, ~~Garages and carports~~ shall not be used or converted for any other use that would impair their basic use as storage for motor vehicles.*

*B. ~~Garages or carports shall not be located closer than twenty (20) feet to the far side of an improved street.~~*

*~~C. All off-street parking spaces, whether in a garage, carport or open area, shall be so located as to be accessible to the use which they are intended to serve and to be usable for the parking of motor vehicles. Except as provided in subsection E of Section 17.32.070, garage or carport openings shall be located not less than twenty (20) feet from the property line facing the opening.~~*

*C. The required parking for each unit of a residential use shall be independently accessible from that required for any other unit. The property owner shall assign each unit the exclusive use of at least one ~~covered~~ standard-size parking space, which shall be a covered parking space, if such is required for the unit. If tandem parking is provided, the two spaces in tandem shall be assigned together.*

*D. Guest parking spaces shall be posted by the property owner as available for 72-hour maximum use by the guests only of all residential units for which they are required.*

**A PORTION OF THE FOLLOWING SECTION WAS MOVED TO BMC SECTION 15.12.075:**

**~~17.34.030 Hillside lot improvement plans.~~**

~~*A. On any hillside lot which is on an unimproved street or on a street on which, in the opinion of the city engineer, additional or future street improvements can be*~~

~~anticipated, the following information shall be provided for any application for a building permit:~~

~~1. A precise plot plan showing existing topography, boundary, house, finished grades and utility services;~~

~~2. A street improvement plan prepared by a registered civil engineer, showing grades and dimensions, and indicating that the driveway will function properly, and adequately tie into the existing roadbed, based on the vertical and horizontal alignment as approved by the city engineer;~~

~~3. Prior to the issuance of the occupancy permit, the civil engineer responsible for the street plan shall certify as to the "as built" plan. Prior to beginning any construction, the applicant for a building permit shall submit a certification by a registered engineer or licensed land surveyor that the property corners have been set.~~

~~B. When, in the opinion of the city engineer, proposed parking facilities are unusable or present a potentially unsafe condition, the plans shall not be approved.~~

THE FOLLOWING SECTION HAS BEEN MOVED TO SECTION 17.34.020:

~~**17.34.040 On-site parking requirements.**~~

~~Parking required in any district must be on-site except as provided in this chapter. (Ord. 324 §5(part), 1987; Ord. 298 §7.1 (F), 1984).~~

THE FOLLOWING SECTION IS REPLACED BY SECTION 17.34.020.B.4:

~~**17.34.050 Joint use of parking facilities.**~~

~~Joint use of parking facilities will be allowed under the following conditions:~~

~~A. Where there is no conflict at time of use;~~

~~B. When there is sufficient parking for all uses.~~

SINCE THE C-2 & H-1 DISTRICTS NO LONGER EXIST (SEE SECTION 17.34.050.B REGARDING THE NCRO-2 DISTRICT), THE FOLLOWING SECTION HAS BEEN DELETED:

~~**17.34.060 C-2 or H-1 district requirements.** Parking required in any C-2 or H-1 district may be reduced below the stated requirements in any portion of such district included within a public parking district or assessment district for financing off-street parking facilities in proportion to the amount of assessment on each property owner. Cost of each parking space provided by the district shall be computed by dividing the number of such spaces into the total of the assessment levied against the property within the district. The assessment against individual property shall be divided by this cost per space, to determine the nearest whole number by which the parking requirements on the property may be reduced.~~

THIS SECTION IS MOVED FROM SECTION 17.34.130:

~~**17.34.040 Design standards.**~~

~~A. *Tables.* Off-street parking **Parking** facilities shall comply with the design ~~requirements~~ *standards* as set forth in Table 1, applicable to standard size vehicles, and Table 2, applicable to ~~small-size compact~~ vehicles, which appear immediately following this chapter and are incorporated herein by reference and made a part hereof. *section.*~~

Variations to these tables may be approved by the city engineer, consistent with professionally accepted standards, where no more than two forward turning movements would be necessary to enter or exit any parking space.

**17.34.070 B Surfacing and striping.**

1. Any off-street parking area shall be surfaced with a minimum of five (5) inches of imported base material and a double application of asphalt and gravel to the city engineer's approval, so as to provide a durable and dustless surface and shall be so graded and drained as to dispose of all surface water accumulated within the area and shall be so arranged and marked as to provide for safe loading and unloading and parking of vehicles.

2. Parking spaces shall be striped in compliance with the design standards in this chapter, except that parking spaces for residential uses of no more than 2 units need not be striped. Plans for striping or restriping of required parking spaces shall be submitted for approval by the Community Development Department in compliance with these standards prior to any work done.

3. Permeable paving alternatives for parking spaces and low-traffic driveways may be approved by the City Engineer to reduce the discharge of pollutants into storm sewers, in which case the means of delineating the parking spaces shall be subject to the approval of the Community Development Department.

**17.34.090 C. Compact cars.** Up to fifty percent (50%) of the required parking spaces may be designed for small-sized vehicles compact. For sites with two or more residential dwelling units, at least one standard-size parking space shall be provided for each unit. Compact parking spaces shall be labeled as such on the pavement, except for residential uses of not more than 2 units.

**17.34.080 D. Handicapped parking.** Parking designated as accessible by persons with disabilities shall be provided as required by State law. Parking spaces specifically designed, located and reserved for vehicles licensed by the state for use by the handicapped shall be provided in each parking facility of twenty-five (25) or more spaces according to the following schedule:

Total Spaces Required	Minimum Number of Handicapped Spaces Required
1-24	0
25-99	1
100-199	2
200 or greater	4

E. **Parallel parking.** Parallel parking spaces shall be subject to the following standards: Spaces that are accessible from at least one end shall be eight (8) feet wide by twenty (20) feet long. Spaces located between other spaces or any obstruction shall be eight (8) feet wide by twenty-four (24) feet long. An additional one (1) foot width shall be provided where the parking space would be located next to any obstruction more than six (6) inches tall.

F. **Tandem parking.** Tandem parking where no more than one parking space need be vacant to access another parking space shall be recognized as meeting the parking requirements for residential uses, as long as the parking spaces for each unit are accessible

independently from those for any other unit. For single-family dwelling units over 3,600 square feet in floor area, three-in-tandem parking arrangements are acceptable in meeting the parking requirements.

**G. Obstructed parking spaces.**

1. Any parking space next to a wall or similar obstruction shall have 1 ft. of additional width to provide clearance between a vehicle and the obstruction.

2. No washing machines, driers, water heaters, work benches, support posts and similar obstructions shall ~~could~~ be located within the area of any required 9 ft. by 18 ft. standard parking space or 8 ft. by 16 ft. compact parking space. No doors shall be designed to swing open into the area of any required parking space.

**H. Garage design.**

1. Garages enclosing required parking spaces shall comply with the following:

<u>Garage Type</u>	<u>Minimum Width</u>	<u>Minimum Depth</u>
Single-car garage	10 ft.	20 ft.
Two-car garage		
On lots < 27 ft. wide	18 ft.	20 ft.
All other sites	20 ft.	20 ft.
2-in-tandem garage	10 ft.	40 ft.

[SEE AGENDA REPORT FOR ALTERNATIVES]

2. All garage doors shall be of a roll-up sectional design and shall be equipped with automatic garage door openers, except in those cases subject to an exemption for minor expansion of a single-family dwelling or where it can be demonstrated to the City Engineer's satisfaction that an alternative garage door type can be operated with an eighteen (18) foot long vehicle stopped in the driveway without blocking lanes of traffic or a required sidewalk, or where the Building Official determines that it is not structurally feasible to retrofit an existing garage.

17.34.120

**I Driveway grades.**

1. Driveway grades shall not exceed twenty percent (20%) unless approved by the city engineer. ~~Driveway grades shall not exceed fifteen percent (15%) where required per BMC Sections 15.44.100 & 15.44.110.~~ The grade of driveways required as fire apparatus access roads shall be as approved by the fire chief.

2. Parking within a driveway may be recognized as meeting the requirements for a single-family residence, secondary dwelling unit or duplex subject to provision of adequate clearance behind the parking space equivalent to the minimum aisle width in Table 1 (for standard-size spaces) or Table 2 (or compact spaces), in addition to all other applicable provisions of this chapter.

**J. On-site turnaround.** 1. Off-street parking facilities shall be designed to provide on-site turnaround capability, with the following exceptions ~~except that~~ :

a. The parking spaces for a single-family residence, secondary dwelling unit or duplex may be designed to back into a non-arterial street.

b. The parking spaces for a complex of three or more units may be designed to back into a local street that is not an arterial or a collector.

2. On-site turnaround capability shall be designed so as not to conflict with required parking spaces, including any recognized tandem spaces.

17.34.100

**K. Parking lot landscaping.**

1. ~~Parking lots shall be landscaped with~~ For any open parking area containing ten (10) or more parking spaces subject to design permit approval,



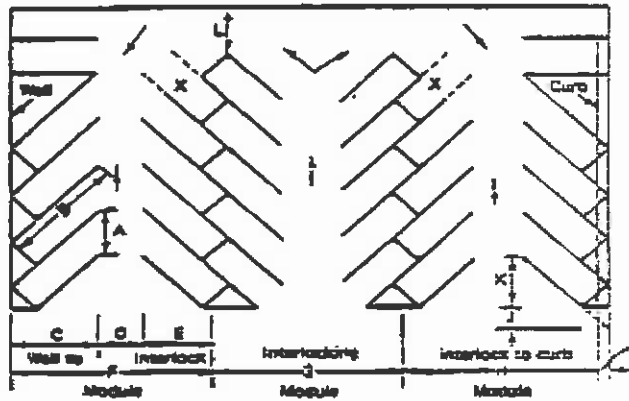
landscape plans shall be submitted to provide trees, shrubs and ground cover, as appropriate according to approved design permit. The landscape plans shall provide at least one tree for every ten (10) parking spaces, which may be planted in diamond-shaped tree-wells or parkway strips, located so as to break up expanses of paved area.

2. The landscape plans shall use water conserving plants, plants that are not invasive, and plants and other landscape features that are appropriate to the context. New and replacement irrigated landscapes of one thousand (1,000) square feet or more shall be subject to the water conservation requirements in Chapter 15.70.

3. The landscape plans shall incorporate vegetated drainage swale features comply with the requirements of the federal Clean Water Act and acts amendatory thereof or supplementary thereto, applicable implementing regulations, and NPDES Permit No. CAS612008 and any amendment, revision or reissuance thereof, as determined feasible by the city engineer.

L. Bumper overhangs. Off-street parking facilities may be designed to accommodate bumper overhangs of not more than two and one-half (2 1/2) feet length for standard size parking spaces and two (2) feet for compact parking spaces. Bumper overhangs shall not block any required pedestrian accessway. Wheelstops, curbs and landscaping within the area of any bumper overhang shall not exceed five (5) inches in height above the pavement.

**Table 1**  
**Design Requirements for Standard Sized Vehicles**



X = Stall not accessible in certain layouts  
 Parking layout dimensions (in ft) for 2-ft stalls  
 at various angles

Dimension	On Diagram	FEET Parking Angle			
		45°	60°	75°	90°
Stall width, parallel to aisle	A	12.7	10.4	9.3	9.0
Stall length of line	B	25.0	22.0	20.0	18
Stall depth to wall	C	17.5	19.0	19.5	18
Aisle width between stall lines	D	12.0	16.0	23.0	26.0
Stall depth to interlock	E	15.3	17.5	18.8	18.5
Module, wall to interlock	F	44.8	52.5	61.3	63.0
Module, interlocking	G	42.6	51.0	61.0	63.0
Module, interlock to curb face	H	42.8	50.2	58.8	60.5
Bumper overhang (typical)	I	2.0	2.3	2.5	2.5
Offset	J	6.3	2.7	0.5	0.0
Setback	K	11.0	8.3	5.0	0.0
Cross aisle, one-way	L	14.0	14.0	14.0	14.0
Cross aisle, two-way	L	24.0	24.0	24.0	24.0

**Table 2**  
**Design Requirements for Small Sized Vehicles**

Parking Dimensions, FEET						
Parking Angle	Stall Width	Aisle Length Per Stall	Depth of Stalls at Right Angle to Aisle	<i>Bumper Overhang</i>	Aisle Width	Wall to Wall Module
45°	8.0	10.5	17.0	<i>1.7</i>	11.0	45.0
60°	8.0	8.7	<del>17.7</del> 16.7	<i>1.8</i>	14.0	49.4
75°	8.0	7.8	<del>17.3</del> 16.3	<i>1.9</i>	17.4	52.0
90°	8.0	7.5	16.0	<i>2</i>	20.0	52.0

**17.34.050 Exemptions, exceptions and modifications.**

~~17.34.110 Exemption for minor expansion of single family dwelling.~~

A. An existing single-family dwelling which does not have parking facilities that conform with the requirements of this chapter may be expanded by a cumulative total of not more than four hundred (400) square feet without the need to bring the parking facilities into conformance or to obtain a use permit under Section ~~17.34.115~~ **17.34.050H** of this chapter, subject to the following restrictions and requirements:

1. The structure to be expanded shall constitute the principal structure and the only dwelling unit located on the site *or mobilehome park space*.

2. The square footage permitted by this section shall be reduced by the square footage of any prior expansion of the same structure that was made since January 1, 1986, regardless of whether an exception, use permit, variance, or other approval was granted for such prior expansion.

3. The square footage permitted by this section shall be reduced by the square footage of any prior permitted expansion of the same structure which resulted in the loss of required parking spaces, such as the conversion of a garage to living area.

~~4. The square footage permitted by this Section shall be reduced by the amount necessary so that the resulting total floor area will not require an additional parking space under Section 17.34.020.~~

~~5.~~ The expansion shall not result in the loss of any existing off-street parking spaces, or the conversion of a covered parking space to an uncovered parking space, or otherwise increase the nonconformity of the existing parking facilities.

~~5. 6. 5.~~ The proposed development shall comply with the requirements of Section 17.01.060 of this title, unless: ~~(4)-(a)~~ the structure to be expanded is located upon a lot of record, and ~~(2)-(b)~~ a public street abutting such lot of record provides the principal means of access to that lot.

~~B. 7. 6.~~ In determining the cumulative size of prior or proposed expansions of an existing single-family dwelling *or mobilehome*, the square footage of any newly created garage or carport shall not be counted as part of the four hundred (400) square foot limitation.

*B. Storefront uses in the NCRO-2 District shall be exempt from the requirements of this Chapter.*

*C. For residential units designed and dedicated for use by persons with disabilities, subject to restrictions approved by the City and recorded with the County of San Mateo, the ~~minimum~~ parking requirement shall be ~~reduced by 1~~ assigned van-accessible parking space (either covered or uncovered at the discretion of the applicant) per dedicated unit. Such spaces shall be conveniently located along an accessible path of travel to the dedicated unit, but shall not count as or conflict with the parking required to be reserved for persons with disabilities per Title 24 (Section 17.34.040.D).*

*D. For a residential unit occupied by a person with a disability, the Zoning Administrator shall have authority to grant an Accessibility Improvement Permit authorizing a modification to any of the parking requirements prescribed by this Chapter, following the conduct of a hearing with 10 days notice thereof being given to the owners of all adjacent properties. The Zoning Administrator may issue the Accessibility Improvement Permit if he or she finds and determines that:*

*1. The modification is necessary to meet special needs for ~~accessibility of a person having a physical handicap~~ disability which ~~impairs his or her ability to access or utilize the property;~~*

2. ~~The modification will not create any significant adverse impacts upon adjacent properties;~~

3. ~~Any construction resulting from the modification will be done in a sound and workmanlike manner, in compliance with all applicable provisions of the building and fire codes;~~

4. ~~Strict enforcement of the specified regulation is not required by either present or anticipated future traffic volume or traffic circulation on the site; and~~

5. ~~The granting of the modification will not result in the parking of vehicles on public streets in such manner as to interfere with the free flow of traffic on the streets or create or intensify a shortage of on-street parking spaces.~~

E. ~~For residential units designed and dedicated for use by households with one or more members who are 62 years of age or older, subject to restrictions approved by the City and recorded with the County of San Mateo, the minimum parking requirement shall be two-thirds (67%) of the standard requirement based upon unit size as set forth in Section 17.34.020. This minimum parking requirement may be further reduced as an "additional incentive" required for projects that comply with the California "density bonus" law (California Government Code Sections 65915 and 65915.5).~~

F. ~~For residential units dedicated to be affordable to households with very-low, low, or moderate incomes, subject to restrictions approved by the City and recorded with the County of San Mateo, the minimum parking requirement may be reduced as an "additional incentive" required for projects that comply with the California "density bonus" law (California Government Code Sections 65915 and 65915.5). This reduction shall be in addition to any exception that may be applicable under Sections 17.34.050.C or 17.34.050.D. Affordable housing projects that do not qualify for a density bonus and additional incentives may obtain a reduction in the minimum parking requirement through application for a modification under Section 17.34.050.I.~~

G. ~~Off-street parking facilities within the public right-of-way may be approved by the city engineer only for single-family residences, secondary dwelling units and duplexes, subject to the following requirements:~~

1. ~~The parking space shall not be located within a portion of the right-of-way required for street widening to comply with Section 12.24.010.B.1.~~

2. ~~The parking space shall not block any portion of a required sidewalk.~~

3. ~~The parking space shall be located so as to minimize its impact upon any existing on-street parking.~~

4. ~~Standard-size spaces perpendicular to the street shall be located so as to have twenty-six (26) feet of clearance in which to back into the street and turn forward. Compact spaces shall be located so as to have twenty (20) feet of such clearance. The required clearance shall not conflict with any designated on-street parking spaces on the opposite side of the street.~~

5. ~~Parking spaces shall not be located so that more than one space must be vacant in order to access another space.~~

6. ~~Parking spaces located entirely within the public right-of-way immediately parallel to but off of the street shall not be recognized as required parking without the approval of the Planning Commission per Section 17.34.050.I.~~

#### ALTERNATIVE #1:

G. ~~Required parking spaces within the public right-of-way at the property's frontage may be recognized administratively subject to the city engineer's approval Off-street parking facilities within the public right-of-way may be approved by the city engineer only~~

for single-family residences, secondary dwelling units and duplexes, subject to the following requirements:

1. The parking space shall not be located within a portion of the right-of-way that could be required for lanes of traffic per ~~street widening to comply with Section 12.24.010.B.1.~~

2. The parking space shall not block any portion of a required sidewalk.

~~3. The parking space shall be located so as to minimize its impact upon any existing on-street parking.~~

~~4. Standard size spaces perpendicular to the street shall be located so as to have twenty six (26) feet of clearance in which to back into the street and turn forward. Compact spaces shall be located so as to have twenty (20) feet of such clearance. The required clearance shall not conflict with any designated on-street parking spaces on the opposite side of the street.~~

~~5. Parking spaces shall not be located so that more than one space must be vacant in order to access another space.~~

3. The parking space shall comply with Sections 12.05.020 and 12.24.015, as applicable.

4. An uncovered space within the public right-of-way shall not be recognized as meeting the requirement for a covered parking space without the approval of the Planning Commission per Section 17.34.050.I.

#### ALTERNATIVE #2:

G. Required parking spaces within the public right-of-way at the property's frontage may be recognized administratively subject to the city engineer's approval ~~Off-street parking facilities within the public right-of-way may be approved by the city engineer~~ only for single-family residences, secondary dwelling units and duplexes, subject to the following requirements:

1. The parking space shall not be located within a portion of the right-of-way that could be required for lanes of traffic per ~~street widening to comply with Section 12.24.010.B.1.~~ A parallel parking space located in whole or in part on the street may be recognized as the second required parking space for units not exceeding 1,800 square feet in floor area only.

2. The parking space shall not block any portion of a required sidewalk.

~~3. The parking space shall be located so as to minimize its impact upon any existing on-street parking.~~

~~4. Standard size spaces perpendicular to the street shall be located so as to have twenty six (26) feet of clearance in which to back into the street and turn forward. Compact spaces shall be located so as to have twenty (20) feet of such clearance. The required clearance shall not conflict with any designated on-street parking spaces on the opposite side of the street.~~

~~5. Parking spaces shall not be located so that more than one space must be vacant in order to access another space.~~

3. The parking space shall comply with Sections 12.05.020 and 12.24.015, as applicable.

4. An uncovered space within the public right-of-way shall not be recognized as meeting the requirement for a covered parking space without the approval of the Planning Commission per Section 17.34.050.I.

~~H. Driveways shared in common between more than one building site may be approved by the planning commission, subject to the following requirements:~~

~~1. All properties sharing the driveway shall have frontage on a public street.~~

~~2. The number of properties sharing the common driveway and the length of the common driveway shall be subject to planning commission approval.~~

~~3. The location of houses sharing the common driveway shall be subject to planning commission approval, consistent with applicable standards set forth in this Zoning Ordinance or elsewhere in the Brisbane Municipal Code.~~

~~4. A common driveway shall be 18 feet wide, except where a 20 foot width is required under any applicable provisions of this Code for Fire Department emergency access vehicles.~~

~~5. A common driveway shall have a turnaround or second access point to the street.~~

~~6. The maximum slope permitted for shared driveways shall not exceed 20%, except where a 15% slope is required under any applicable provisions of this Code for Fire Department emergency access vehicles.~~

~~7. The height, location and appearance of any retaining walls for the common driveway, not within the public right of way, shall be subject to the approval of the planning commission.~~

~~8. Reciprocal access easements and maintenance agreements shall be recorded prior to issuance of any permits for shared driveways. The agreement shall specify that the shared driveway is not to be used for parking within the minimum required width for lanes of traffic. The process for maintaining the driveway and any associated landscaping shall be addressed, including how costs shall be apportioned. Landscape maintenance agreements shall also be included if street trees and other plantings in the public right of way are required as a condition for approval of common driveways.~~

~~17.34.115 Modifications to parking regulations.~~ I. H. The planning commission shall have authority to grant a use permit authorizing a modification to any of the parking regulations prescribed by this Chapter. The provisions of Chapter 17.40 of this Title shall govern the filing and processing of the application for a use permit pursuant to this Section; provided, however, that in addition to the findings required for the granting of a use permit, as set forth in Section 17.40.060, no use permit shall be granted for a modification to a parking regulation unless the planning commission also finds and determines that:

~~A. 1.~~ Strict enforcement of the specified regulation is not required by either present or anticipated future traffic volume or traffic circulation on the site; and

~~B. 2.~~ The granting of the use permit will not result in the parking of vehicles on public streets in such manner as to interfere with the free flow of traffic on the streets or create or intensify a shortage of on-street parking spaces, given, for example, the availability of existing or improved on/off-street parking which may not fully meet the requirements of this chapter.

~~3. Full compliance with the parking requirements is not reasonably feasible due to existing structural or site constraints. This finding shall not be required for residential units dedicated to be affordable to households with very-low, low, or moderate incomes or designed and dedicated for use by households with one or more members who are 62 years of age or older, subject to restrictions approved by the City and recorded with the County of San Mateo.~~

~~J. I. The planning commission shall have authority to grant a parking variance for nonresidential development to allow required parking to be located off-site. The provisions~~

*of Chapter 17.46 of this Title shall govern the filing and processing of the application for a variance pursuant to this Section; provided, however, that instead of the findings required for the granting of a variance, as set forth in Section 17.46.010, no such parking variance shall be granted unless the planning commission finds and determines that:*

- 1. The variance would be an incentive to, and a benefit for, the nonresidential development; and*
- 2. The variance will facilitate access to the nonresidential development by patrons of public transit facilities.*

**Section 17.34.085. Parking for Designated for Clean Air Vehicles.** Parking spaces designated for low-emitting, fuel-efficient and carpool/van pool vehicles, as defined in Section 5.102 of the California Green Building Standards Code, shall be provided for newly constructed non-residential buildings according to the following schedule:

TOTAL NUMBER OF PARKING SPACES	NUMBER OF REQUIRED SPACES
0-9	0
10-25	1
26-50	3
51-75	6
76-100	8
101-150	11
151-200	16
201 and over	At least 8 percent of total

The designated spaces shall be marked "CLEAN AIR VEHICLE" with stall-striping paint, such that the lower edge of the last word aligns with the end of the stall striping so it will be visible beneath a parked vehicle.

**Section 17.34.095. Bicycle Parking.** Short-term and long-term parking for bicycles shall be provided for newly-constructed non-residential buildings as follows:

A. Short Term Parking. One or more permanently anchored bicycle racks shall be provided within 200 feet of the visitors' entrance and readily visible to passers-by. The required bicycle parking capacity shall be set as follows:

1. 1 bike rack space per 10,000 sq. ft. of retail floor area;
2. 1 bike rack space per 150,000 sq. ft. of office floor area;
3. Other non-residential uses: five percent (5%) of visitor motorized vehicle parking capacity.
4. Any fractional result shall be rounded up.
5. For all non-residential buildings, the minimum capacity shall be for two bicycles.

B. Long Term Parking. Permanently anchored bike racks inside covered, lockable enclosures or bicycle rooms or permanently anchored bicycle lockers shall be provided at convenient locations from the street. The required bicycle parking capacity shall be set as follows:

1. 1 space per 20,000 sq. ft. of warehouse floor area;
2. 1 space per 6,000 sq. ft. of retail floor area;
3. 1 space per 6,000 sq. ft. of office floor area;



4. Other non-residential uses: five percent (5%) of motorized vehicle parking capacity.
5. Any fractional result shall be rounded up.
6. For all non-residential buildings, the minimum capacity shall be for one bicycle.

**Section 17.38.080. Alteration or expansion of nonconforming structures.**

A. A nonconforming structure shall not be altered, enlarged, or expanded so as to increase the degree of noncompliance or otherwise increase the discrepancy between existing conditions and the requirements of this Title.

B. Structural alterations may be permitted when necessary to comply with the requirements of law.

C. The prohibitions of this Section shall not apply to any alteration, enlargement or expansion for which a variance is granted pursuant to Chapter 17.46 *or a use permit is granted pursuant to Chapter 17.34* of this Title.