

# *City of Brisbane*

## *Planning Commission Agenda Report*

TO: Planning Commission For the Meeting of 7/28/11

FROM: Tim Tune, Senior Planner, via John Swiecki, 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 July 14<sup>th</sup> study session, the Planning Commission received the agenda report reviewing the Commission's recommendations made in 2004 to revise the parking ordinance so as to base the residential parking requirements upon floor area, instead of lot frontage or number of bedrooms. The recommended approach was grounded in Brisbane's long-standing requirement of 2 off-street spaces for 25 ft. wide lots, combined with the floor area ratios adopted in 2002 to prevent overbuilding. Based upon these standards, the Commission had recommended that the minimum parking requirement for all types of residential dwellings be 2 spaces for up to 1,800 sq. ft. of floor area, with an additional space, up to a maximum of 6, for each additional 900 sq. ft. of floor area. The second and third required spaces would have to be covered, based upon the current requirements for single-family residences.

In the July 14<sup>th</sup> agenda report, staff suggested that only 1 parking space be required for any residential unit not more than 900 sq. ft. in floor area. Based upon certain State standards, this would be limited to studio and 1-bedroom units. Two-bedroom units, even under 900 sq. ft., would still have to provide 2 parking spaces. Consistent with current requirements, none of the parking specifically required for second units would have to be covered in a garage or carport.

The agenda report also noted that the Commission had recommended in 2004 that the parking requirement for dedicated senior housing be reduced by one-third of that which would otherwise be required according to unit size. This was based, in part, upon the finding by the Non-Profit Housing Association of Northern California that senior households in the Bay Area owned 31% fewer cars than households with no seniors.

For housing for persons with disabilities, two approaches were recommended in 2004 to reduce the required parking. For units designed and dedicated for use by persons with disabilities, subject to restrictions approved by the City and recorded with the County, a 1-space reduction per dedicated unit was recommended. For units occupied by persons with disabilities but not specifically designed and dedicated for such use, the 2004 recommended ordinance would add a specific type of Accessibility Improvement Permits to allow the Zoning Administrator to adjust the parking requirements on a case-by-case basis as appropriate to meet the needs of the particular occupant.

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

**STAFF ANALYSIS:** The purpose of this study session is to review the rationale behind and implications of some of the aspects of the off-street parking ordinance recommended by the Planning Commission in 2004. In addition to changing the basis for determining residential parking requirements from lot frontage or number of bedrooms to total floor area, the recommended ordinance included new procedures for recognizing private parking within the public right-of-way which specifically excluded on-street parking. This study session will evaluate to what extent these recommendations would result in an increased number of nonconformities and what the implications of this nonconforming status would be. Alternative approaches are then discussed.

The next study session will consider the following potential issues--

- Should the development regulations and design standards for garages be changed?
- Should shared driveways be encouraged?
- Should the parking requirements for other uses be updated at this time?
- What other provisions of the parking ordinance need clarification?

**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. The recommended change raised some concerns regarding its implications for existing houses, as well as for potential development.

***Proposal--***The 2004 recommended ordinance would no longer recognize on-street parking as meeting some of the requirement for single-family residences on lots with more than 25 ft. of frontage. Brisbane Municipal Code 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—see attached On/Off-Street Parking Diagrams) 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.*

The recommended ordinance recognized the distinction between parking located on private property, which is under the Zoning Ordinance's jurisdiction, versus that located within the public right-of-way, which is subject to the City Engineer's approval (see BMC Chapters 12.05 and 12.24). Driveway parking spaces would be accepted for one-to-two-unit buildings only if the City Engineer determines that driveway parking would not conflict with future street widening, sidewalk access or existing on-street parking.

Currently, it is the responsibility of the City Engineer to determine how much of the public right-of-way is needed for future street widening per BMC Sections 10.24.055 & 12.24.010.B.1 and per any exceptions adopted by the City Council per General Plan Program 41a. Under BMC Section 12.05.010.A.3, the City Engineer may approve off-street parking facilities within the public right-of-way via encroachment permits where "it may be possible to determine, on the basis of the existing street design and the extent of environmental, topographic and economic constraints, that certain areas of the unimproved right-of-way adjacent to various public streets in the hillside areas of the city will not be utilized in the foreseeable future for street expansion or installation of public utilities."

Driveway curb cut location and width are also subject to the City Engineer's approval per BMC Section 12.24.015. Under the 2004 recommended ordinance, the lengths of driveways, as they are reflected in any setback for a garage or carport of less than 10 ft., would also be subject to the City Engineer's approval per Sections 17.06.040.D.1.b & 2, 17.08.040.D.1.b & 2 and 17.10.040.D.1.b & 2, so as to avoid traffic hazards due to insufficient sight distance, garage door

access or separation of structures from the street (this will be discussed further in the next study session).

***Rationale***--The 2004 recommended ordinance was intended to place the burden of providing additional parking upon new houses being constructed and existing houses being significantly expanded, so that it does not come to bear upon existing houses with nonconforming parking, particularly those that must rely upon existing on-street parking. Parking located on the street would not be accepted as meeting a specific site's requirement, because such parking is available for anyone's use.

The current requirements recognize as much as half of the required parking for a new single-family residence as being located on-street, allowing some of the project's expected parking demand to occupy the limited supply of public parking. At the same time, the Municipal Code mandates that 12 to 18 ft. of existing curb be replaced with driveway to serve the new residence. This potentially eliminates a portion of the on-street parking supply. With the adopted street standards (see below), widening can be required to improve existing narrow streets per BMC Sections 15.08.140 and 17.01.060.C.1 to better accommodate on-street parking, but this does not typically increase the existing supply of parking spaces. Similarly, the parking situation for existing houses rarely results in an increase in the existing supply of on-street parking without a concomitant increase in demand resulting from expansion of these houses. In those instances where street widening to accommodate on-street parking is required as a condition of approval to expand existing houses, the street was typically already used for on-street parking, just not in conformance with the street standards.

The changes recommended in 2004 followed a number of earlier Municipal Code changes to address the problem of the limited availability of on-street parking in Central Brisbane due to narrow streets and single-family residences with nonconforming parking. In 1991, the City Council adopted BMC Section 10.24.055 to allow the City Engineer to stripe "narrow streets" to maintain a minimum width of 12 ft. on straight roadways, 16 ft. on general curves and 20 ft. on hard curves for emergency access, with on-street parking permitted outside the striped roadway width. In 1994, the General Plan was updated to include Policy 56 to "require that as much on-street parking be maintained in residential Brisbane as can be accommodated safely" and Program 56a, calling for "review off-street residential parking requirements in the Zoning Ordinance to assess impacts on the availability of on-street parking." In 1997, BMC Section 15.08.140 was amended per General Plan Program 46a to require that the street be widened to comply with current standards when buildings with substandard street access were being enlarged or improved by more than 50%. In 1998, BMC Section 17.01.060.A.2 was adopted per General Plan Program 46a, requiring that "all infrastructure improvements necessary for providing service to the existing or proposed structure have been constructed or installed in accordance with applicable city standards as determined by the city engineer, or the granting of the permit or approval is conditioned upon such improvements being constructed or installed..."

(this later was amended to allow exceptions for minor improvements). Street width standards of 36 ft. where parking is permitted on both sides of the street and 28 ft. where parking is permitted on only one side, in addition to the 20 ft. standard (with no on-street parking) that had long been in effect under the Uniform Fire Code, were adopted in 1999 per BMC Section 12.24.010.B.1.

*Implications*—The 2004 recommended ordinance was designed as an extension of the floor area ratio limits previously adopted by the Council. For houses on 25 ft. lots in compliance with the FAR 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.

A survey of the parking data available for 727 single-family residences in the R-1 District in 2008 found that 46% of them rely upon on-street parking to help meet the current requirements, but that only 20% would become nonconforming under the 2004 recommended ordinance due to that reliance. 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 (see below for more information from this survey). If the recommended ordinance were revised to require only 1 off-street space for single-family residences with no more than 1 bedroom as suggested by staff, the percentage of units that would then become nonconforming would be reduced to 19%.

Under the recommended ordinance, no on-street parking would be recognized as meeting the parking requirements for new or significantly enlarged residential buildings. Recognition of any parking within the portion of the public right-of-way not improved as a street would require the City Engineer's approval per Section 17.34.050.G (see above) and would be limited to single-family residences, secondary dwelling units and duplexes. Subsection 1 of this section would not allow recognition of any parking that would be located within a portion of the right-of-way required for street widening to comply with BMC Section 12.24.010.B.1. This means that parking striped under the "narrow street" provisions would not be recognized administratively (by staff, as opposed to through approval of a Use Permit by the Planning Commission). On the other hand, it is conceivable that a parking bay (parallel parking per Section 17.34.040.E located entirely off-street but still within the public right-of-way) could be recognized as providing required parking, if located partially on private property and approved per an encroachment permit under BMC Section 12.05.020 (see the attached On/Off-Street Parking Diagrams). If the parking bay is located entirely within the public right-of-way, though, it should be treated as public parking. To clarify, an additional subsection could be added to Section 17.34.050.G:

*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.*

Subsection 2 of Section 17.34.050.G would not recognize any parking space that would block any portion of a required sidewalk. Title 24 requires a 4 ft. minimum width for sidewalks. It has been the Public Works Department's standard practice to require provision of new sidewalk for the frontage of the property where existing sidewalk sections exist on the same side of the street for that block, unless there is an already complete sidewalk on the opposite side of the street. In some cases, there may be some difficulty in identifying the "sidewalk" where rolled curbs exist, even where brick was used to delineate the sidewalk from the adjoining parking strip, since the brick trimwork did not typically continue across driveways. No sidewalk improvements have typically been required on blocks where no sidewalks currently exist; these are the narrow upper streets of Brisbane which have less traffic and steeper shoulders.

Subsection 3 would require that off-street parking within the public right-of-way be located so as to minimize its impact upon any existing on-street parking. This requirement would be consistent with BMC Section 12.24.015, which requires City Engineer approval of the location and width of driveway curb cuts. The intent of these provisions is to position new garages and their driveways where they will result in the elimination of the fewest on-street parking spaces. The maximum curb cut width generally permitted in residential districts is 18 ft. This is wide enough to accommodate 2 side-by-side vehicles in a driveway. The implications of this standard is that a driveway to park three cars across (in order, for example, to meet the parking requirement of 5 to 6 off-street parking spaces recommended for residential units over 3,600 sq. ft. in floor area) would have to be set back farther from the curb to flare sufficiently to a width of 24 to 27 ft. from a curb cut only 18 ft. wide. For example, the 4-car garage for the duplex at 236-238 Tulare Street is set back 31 ft. from the curb to accommodate widening of the driveway from the 18 ft. wide curb cut to fit 4 compact parking spaces (each 8 ft. wide).

Subsection 4 would only recognize off-street parking spaces perpendicular to the street which have sufficient clearance to back into the street and turn forward ("aisle width") per the City's currently adopted parking design requirements in Tables 1 and 2 of BMC Section 17.34.130. This is particularly a concern where streets are narrow or cars are allowed to park on the opposite side of the street. This issue will be discussed further in the study session on garage setbacks.

Subsection 5 would require that off-street parking within the right-of-way be arranged so that no more than one space must be vacant in order to access another. This would codify a long-standing interpretation of BMC Section 17.34.020.C ("All off-street parking spaces, whether in a garage or open area, shall be located so as to be accessible and usable for the parking of motor vehicles") to prohibit recognition by staff of any parking space that would require 2 more spaces be vacant in order to access it. Instead, such 3-in-tandem parking would require Planning Commission approval (under BMC Section 17.34.115) to be recognized as meeting the City's parking requirements. Since 1986, the Planning Commission has granted only 13 Use Permits to recognize 3-in-tandem parking arrangements. With the requirement for 5 to 6 parking spaces for

residences over 3,600 sq. ft., the Planning Commission could expect to see more such applications. Tandem parking is also addressed in recommended Section 17.34.040.F.

Note that the recommended ordinance would rectify an apparent typo in Ordinance No. 324 that required that the parking for multi-family studio units only be off-street, meaning that it could be located off-site (BMC Section 17.34.010). The recommended ordinance would basically restore the previous requirement (dating back to Ordinance No. 151) for one on-site garage space per studio unit. To be consistent with the current requirements for secondary dwelling units, staff suggests that the recommended ordinance be clarified to specify that the single parking space required for any small unit need not be covered within a garage or carport:

<u>Uses:</u>	<u>Parking Requirements:</u>												
Single-family dwellings; Secondary dwelling units; Duplexes; Multiple family dwellings; Mobilehome park units; Group care homes	<p>Parking spaces based upon floor area per unit, according to the following chart:</p> <table border="0"> <thead> <tr> <th data-bbox="756 953 1003 989"><u>Unit Floor Area:</u></th> <th data-bbox="1040 953 1247 989"><u>Parking Spaces:</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="756 1003 954 1039">&lt;=1,800 sq. ft.</td> <td data-bbox="1040 1003 1409 1039">2 spaces including 1 covered</td> </tr> <tr> <td data-bbox="756 1041 987 1077">1,801-2,700 sq. ft.</td> <td data-bbox="1040 1041 1409 1077">3 spaces including 1 covered</td> </tr> <tr> <td data-bbox="756 1079 987 1115">2,701-3,600 sq. ft.</td> <td data-bbox="1040 1079 1409 1115">4 spaces including 2 covered</td> </tr> <tr> <td data-bbox="756 1117 987 1152">3,601-4,500 sq. ft.</td> <td data-bbox="1040 1117 1409 1152">5 spaces including 2 covered</td> </tr> <tr> <td data-bbox="756 1155 927 1190">4,501+ sq. ft.</td> <td data-bbox="1040 1155 1409 1190">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>	<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
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**Increase in the Number of Nonconforming Structures:** As was noted previously, the City Council at its meeting of October 18, 2004, agreed with the Planning Commission's recommendations that the parking requirements should be linked to the size of residential structures. The Council also agreed that on-street parking spaces should not count toward meeting the City's parking requirements. Apparently due to concerns regarding the number of



existing houses that would be deemed “nonconforming structures” under the new regulations, though, the recommended ordinance was tabled indefinitely.

In 2004, the Planning Commission had reviewed floor area and parking data available from then-recent residential projects, either new construction or additions, to get an indication of the impact of the proposed parking regulation changes. Only 16 (26%) out of the 62 projects reviewed would not comply with the proposed parking requirements, and of those, three (5%) did not comply with the current requirements either (three-in-tandem parking was approved through Use Permits for two of the units, and driveway parking was accepted in lieu of covered parking through a Use Permit for a third unit). The reasons for noncompliance of the remainder varied:

- Floor area in excess of 1,800 sq. ft. without additional required parking: 3 (5%)
- Questionable parallel off-street parking: 3 (5%)
- Floor area in excess of 3,600 sq. ft. without additional required parking: 2 (3%)
- Multi-family dwellings requiring more parking per unit: 2 (3%)
- On-street parking: 1 (2%)
- Secondary dwelling unit requiring covered parking: 1 (2%)
- Inadequate on-site turnaround: 1 (2%)

This sample was skewed, because it did not include existing houses for which no expansion had yet been proposed. To address this, staff has since reviewed 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) and found that only 2% (16 units) would have their status change from conforming to nonconforming, if the basis of the parking requirements were changed from lot frontage to floor area. Of all of the units reviewed, 19% would actually improve from nonconforming to conforming status, while the rest would remain unchanged (52% would stay conforming, and 26% would stay nonconforming).

In particular, structures on 25 ft. wide lots would see no change, because the 2004 recommended ordinance would not change the current parking standard for such properties, given the amount of floor area they are permitted under the current zoning regulations. This demonstrates the relationship between the recommended parking requirements and the adopted floor area ratio limits. The 2004 recommended ordinance would clearly impact houses with more than 3,600 sq. ft. of floor area (for which the 0.72 floor area ratio standard would require a site larger than 5,000 sq. ft.), because it would require more than the current 4-space maximum requirement for single-family residences. For building sites from 2,500 to 5,000 sq. ft., the impact would depend upon the size of the house and whether it relies upon on-street parking to meet its current parking requirement. 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. Please refer to the following chart. According to the 2008 study, the recommended

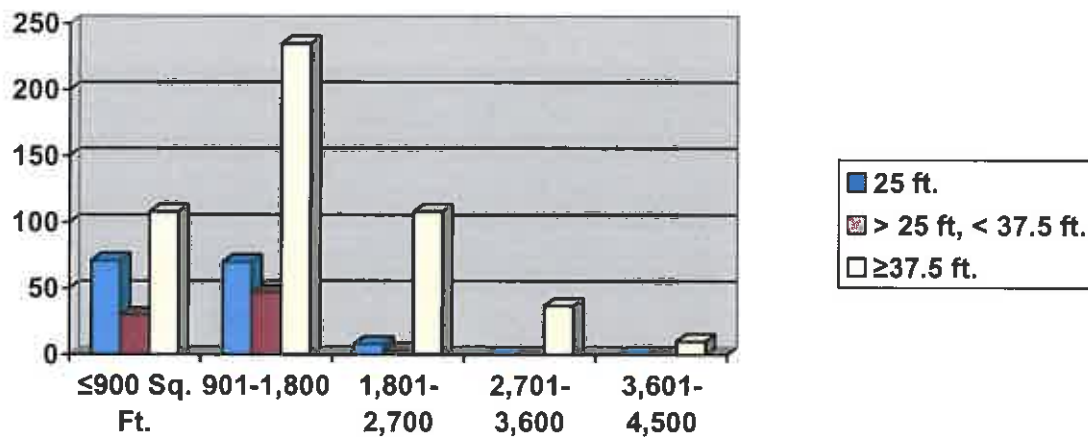


changes would increase the number of parking spaces required for 2% of the residences reviewed and decrease it for 72%.

**SINGLE-FAMILY RESIDENTIAL UNIT FLOOR AREA BY LOT FRONTAGE**

NUMBER OF UNITS  
 (OUT OF 727 SAMPLED)

LOT  
 FRONTAGE



TOTAL FLOOR AREA

The 2004 recommended ordinance would impact multi-family development differently. Currently, the basis for required parking for duplexes or multiple family dwelling units is number of bedrooms: 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 (plus guest parking for developments with 4 or more units, see below). With a minimum requirement of 2 spaces (1 covered plus 1 off-street) proposed to be required by the 2004 recommended ordinance, the standard would be increased for all but the largest units. Staff’s currently suggested alternative would be to require only 1 standard-size space for units not exceeding 900 sq. ft (half of the recommended 1,800 sq. ft. minimum threshold). This would then be applied not only to multiple family dwelling units, but also to single-family cottages and secondary dwelling units of the same size, and would be a way in which to encourage smaller-scale development (see the agenda report for the 7/14/11 meeting).

**Implications of Nonconforming Status**—Per BMC Section 17.02.560.B, “a structure which was lawfully constructed in compliance with all zoning regulations then applicable to the site, but which, by virtue of a subsequent rezoning, reclassification, or the adoption of or change in zoning regulations, no longer conforms with one or more of the development standards, including parking” is defined as “nonconforming.”

As noted above, a substantial percentage of the residential structures in Brisbane are already nonconforming in terms of required parking. In part because of this, the City Council revised the Nonconforming Uses and Structures chapter of the Zoning Ordinance in 2003 to better accommodate nonconforming structures. Per BMC Section 17.38.070, nonconforming parking does not prohibit a structure from being maintained and repaired. BMC Section 17.38.090.A allows nonconforming residential structures damaged by less than 75% to be repaired or restored without complying with the parking requirements. BMC Section 17.38.090.B allows nonconforming residential structures damaged by 75% or more to be repaired or restored, if the original number of off-street spaces provided is not reduced. Although BMC Section 17.38.080.A states that, "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," BMC 17.38.080.C notes that exceptions may be granted through approval of a Variance (see California Government Code Section 65906.5, attached; also see Section 17.34.050.J of the 2004 recommended ordinance). The 2004 recommended ordinance would amend this to include a reference to Use Permits to modify the parking regulations per BMC Section 17.34.1215. In addition, the parking regulations also provide exceptions for additions of no more than 400 cumulative sq. ft. to single-family residences (BMC Section 17.34.110)

Thus, 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.

***Implications for Expansion Potential***—General Plan Program 46a requires "parking and safety improvements in conjunction with new development and the intensification and improvement of existing residential uses." Thus, a distinction was made between accepting existing parking nonconformities in order to maintain and upgrade existing residences versus allowing new construction and significant intensification/expansion of existing residential buildings to rely upon on-street parking in meeting new demand. Accordingly, the 2004 recommended ordinance would eliminate the current exception to the off-street parking requirements that recognizes on-street parking as meeting some of the requirement for new or significantly enlarged single-family residences on lots with more than 25 ft. of frontage. Off-street parking within the public right-of-way, typically in driveways, would be accepted for one-to-two-unit buildings only when the City Engineer determines that it would not conflict with future street widening, sidewalk access or existing on-street parking, per Section 17.34.050.G.

Currently, Community Development Department staff routinely makes administrative determinations regarding whether existing or proposed on- and off-street parking can be recognized as meeting the City's parking requirements when residential units are proposed to be built or expanded. In addition, BMC Section 17.34.030.B currently empowers the City Engineer to prohibit proposed parking facilities that could present a potentially unsafe condition. When

such parking is administratively determined not to be in compliance, an applicant has the option of applying for approval of a Use Permit by the Planning Commission. Owners of single-family residences would also have the option of limiting the size of their addition to no more than 400 sq. ft., so as to fall within the current “exemption for minor expansion of single-family dwellings” (see below).

The potential impact of the 2004 recommended ordinance would appear to be most felt when a house is proposed to be expanded into the next higher level for which additional parking would be required (a total floor area of more than 1,800 sq. ft., for example).

The 2008 study found that of the 16 residences for which the status would change from conforming to nonconforming under the 2004 recommended ordinance, 8 were at or over the 0.72 maximum permitted floor area ratio and thus have no potential to expand further under the current zoning regulations. The floor area of the remaining 8 residences was below the next level in the parking requirements by anywhere from 88 to 660 sq. ft. As noted above, BMC Section 17.34.110 currently provides an exemption for existing single-family dwellings that do not have conforming parking, allowing them to be expanded by a cumulative total of not more than 400 sq. ft. subject to certain restrictions. This exemption dates back to Planning Commission Resolution No. 2-86A, which was revised and codified by Ordinance No. 324 in 1997. The 400 sq. ft. figure was considered sufficient to accommodate the addition of a typical master bedroom suite. The 2004 recommended ordinance proposed the following changes in this exemption, most significantly a reduction in the 400 sq. ft. exemption based upon the square footage at which an additional parking space would be required:

*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.~~ The proposed development shall comply with the requirements of Section 17.01.060 of this title, unless: ~~(1)-(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.~~ 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.

In reviewing all 727 residences considered in the 2008 study, the following was found:

29% (211) had a total floor area not exceeding 900 sq. ft.

Of these, 195 would exceed the 900 sq. ft. level with a 400 sq. ft. addition.

47% (344) had a total floor area of more than 900 sq. ft. but not exceeding 1,800 sq. ft.

Of these, 120 would exceed the 1,800 sq. ft. level with a 400 sq. ft. addition.

17% (124) had a total floor area of more than 1,800 sq. ft. but not exceeding 2,700 sq. ft.

Of these, 42 would exceed the 2,700 sq. ft. level with a 400 sq. ft. addition.

5% (38) had a total floor area of more than 2,700 sq. ft. but not exceeding 3,600 sq. ft.

Of these, 8 would exceed the 3,600 sq. ft. level with a 400 sq. ft. addition.

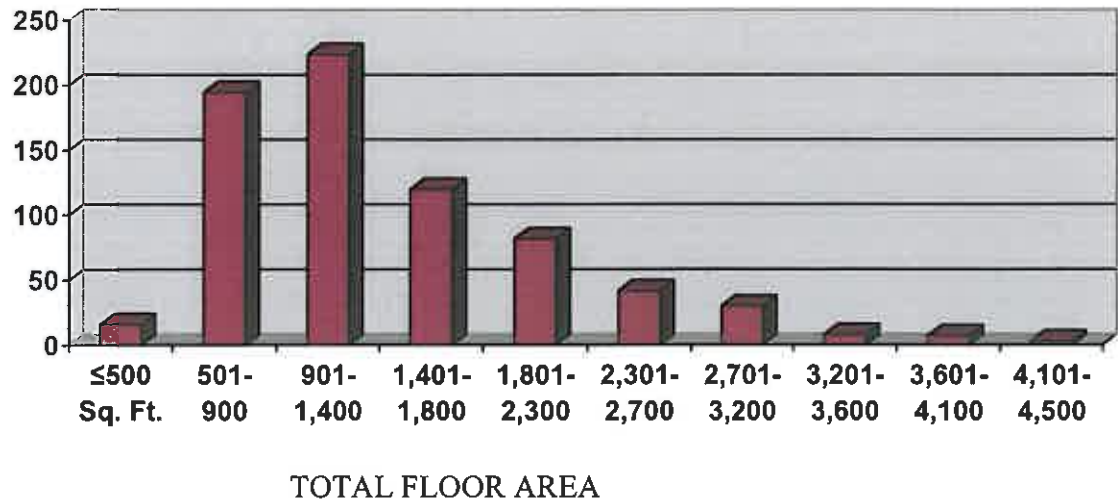
1% (10) had a total floor area of more than 3,600 sq. ft. but not exceeding 4,500 sq. ft.

Of these, 3 would exceed the 4,500 sq. ft. level with a 400 sq. ft. addition.

Thus, 51% of the total units studied would not be able to take full advantage of the current 400 sq. ft. exception under the changes proposed in the 2004 recommended ordinance (see the following charts).

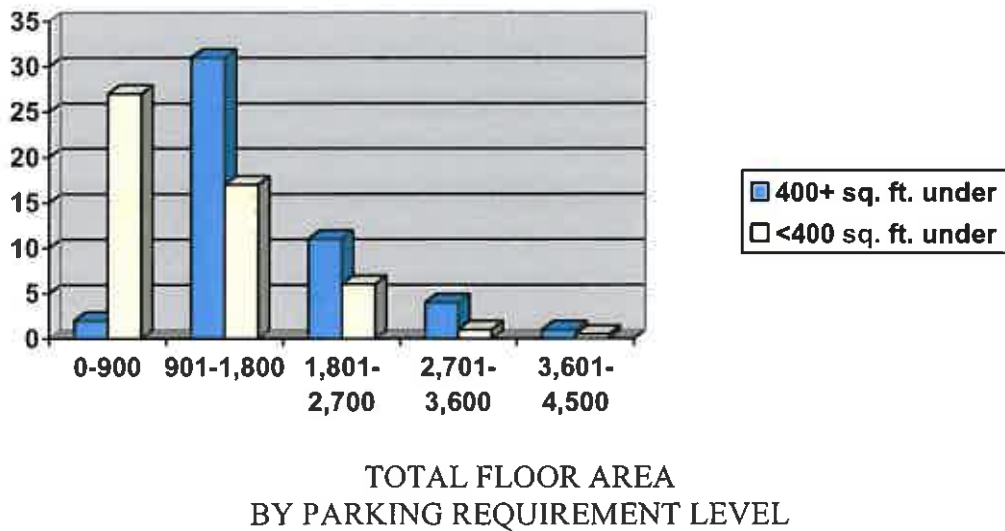
**SINGLE-FAMILY RESIDENTIAL UNIT FLOOR AREA**

NUMBER OF UNITS  
 (OUT OF 727 SAMPLED)



**IMPLICATIONS OF RESTRICTING 400 SQ. FT. EXEMPTION**

PERCENTAGE OF UNITS SURVEYED



Given the complexity of the recommended 2004 revision to the 400 sq. ft. exemption and its potential impact upon a number of existing residences, staff now suggests that the change be deleted to maintain the status quo (see attached). The recommendation that this exemption be extended to include mobilehomes in mobilehome parks would still be proposed.

Per the 2004 recommended ordinance, Section 17.34.050.I (see below) would continue to allow the Planning Commission to approve Use Permits to authorize modifications to any of the parking regulations, except that an additional finding would be required that *“Full compliance with the parking requirements is not reasonably feasible due to existing structural or site constraints.”*

***Projects in Process***—Staff suggests that the ordinance include a provision to specify how the City would begin applying the new parking regulations, once they are adopted. The City Attorney has recommended that the new parking regulations apply to projects that have not obtained Planning Commission approval prior to the effective date of the ordinance. For projects that do not require Planning Commission approval, those for which a complete application for a Building Permit has been submitted are also recommended to be exempt. This additional language would be inserted into the last section of the ordinance, which states, “This ordinance shall be in full force and effect thirty days after its passage and adoption.”

**Alternatives:** There are a number of different approaches that could be taken to try to reduce the extent to which the 2004 recommended ordinance would impact the compliance status of residences in regards to on-street parking. Exceptions could be provided to reduce the number of required parking spaces to try to minimize the issue, or exceptions could be provided to administratively recognize on-street parking under certain circumstances.

***Use Permits to Modify the Parking Regulations***—If the City Engineer should determine that existing off-street parking within the public right-of-way does not meet the requirements of Section 17.34.050.G for the proposed expansion of an existing house, the homeowner would still have the option of applying for Planning Commission approval of a Use Permit to modify the parking regulations under Section 17.34.050.I. While the Planning Commission would not have authority to override the City Engineer in matters regarding use of the public right-of-way, the Commission could determine that the number of parking spaces required by Section 17.34.020.A should be reduced. To do so, the Commission would be required to make the three listed findings under Section 17.34.050.I:

- 1.*** 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.

*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.*

If the findings need to be more flexible in situations where existing off-street parking within the public right-of-way might not quite meet all of the requirements in Section 17.34.050.G, then the second finding in Section 17.34.050.I could be revised as follows:

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.*

This would also provide for the potential to approve the Use Permit subject to a condition that on-street parking improvements be made to benefit the public, if recommended by the City Engineer. Thus, an applicant could be given some credit by the Planning Commission for improving on-street parking for the public.

***Recognizing On-Street Parking***—The 2004 recommended ordinance could be revised to accept on-street parking as meeting the parking requirements under certain circumstances. The ordinance could specify the type of on-street parking that could be recognized administratively. It could then also restrict the size of single-family dwelling for which such on-street parking would be accepted.

Under the “narrow streets” provisions noted above, the City has striped some streets to allow parking where it would otherwise block the standard 20 ft. width of street needed for two lanes of traffic. Based upon the precedent set by the City Council in granting (on appeal) a Use Permit to recognize parking striped on Humboldt Road at the rear of 444 Sierra Point Road (Use Permit UP-9-96), staff has administratively recognized (per BMC Section 12.24.010.C.1) on-street



parking striped by the City, even though it might not meet the standards of BMC Sections 12.24.010.A & B.1. If on-street parking were to be recognized, it might prudent to specify that such parking would have to meet the adopted standards. For example, the ordinance might only accept 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).

To accomplish this, recommended Section 17.34.050.G would have to be revised 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 dwelling 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).

In this case, Subsection 1 of recommended Section 17.34.050.G would have to 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.

#### **ATTACHMENTS:**

“Redline” Version of Parking Ordinance Amendments Recommended by the Planning Commission in 2004 with Staff Suggestions from 7/14/11 & 7/28/11 Agenda Reports  
2004 Survey of Residential Projects Comparing Existing and Proposed Parking Requirements  
California Government Code Sections 65906 & 65906.5  
On/Off-Street Parking Diagrams

"REDLINE" VERSION OF PARKING ORDINANCE AMENDMENTS  
RECOMMENDED BY THE PLANNING COMMISSION IN 2004  
(UPDATED FOR 7/28/11 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 and 7/28/11 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.

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>  <del>Secondary dwelling units;</del>  <del>Duplexes;</del>  <del>Multiple family dwellings;</del>  <del>Mobilehome park units;</del>  <del>Group care homes</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>  <del>Parking spaces based upon floor area per unit, according to the following chart:</del></p> <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;"><u>Unit Floor Area:</u></td> <td style="text-align: center;"><u>Parking Spaces:</u></td> </tr> <tr> <td style="text-align: center;"><del>&lt;=1,800 sq. ft.</del></td> <td style="text-align: center;"><del>2 spaces including 1 covered</del></td> </tr> <tr> <td style="text-align: center;"><del>1,801-2,700 sq. ft.</del></td> <td style="text-align: center;"><del>3 spaces including 1 covered</del></td> </tr> </table>	<u>Unit Floor Area:</u>	<u>Parking Spaces:</u>	<del>&lt;=1,800 sq. ft.</del>	<del>2 spaces including 1 covered</del>	<del>1,801-2,700 sq. ft.</del>	<del>3 spaces including 1 covered</del>
<u>Unit Floor Area:</u>	<u>Parking Spaces:</u>						
<del>&lt;=1,800 sq. ft.</del>	<del>2 spaces including 1 covered</del>						
<del>1,801-2,700 sq. ft.</del>	<del>3 spaces including 1 covered</del>						

<p><del>Single-family homes on 25-foot lots</del></p> <p><del>Secondary dwelling units</del></p> <p><del>Duplex or multiple family dwelling units</del></p> <p><del>— 0 bedroom — or — bachelor apartments</del></p> <p><del>— 1 and 2 bedroom units</del></p> <p><del>— Over 2 bedrooms</del></p>	<p><i>2,701-3,600 sq. ft.      4 spaces including 2 covered</i></p> <p><i>3,601-4,500 sq. ft.      5 spaces including 2 covered</i></p> <p><i>4,501+ sq. ft.              6 spaces including 2 covered</i></p> <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 or more units, including residential subdivisions of 4 or more single-family residences, at the rate of 1 parking space for every 4 units, with no parking spaces required for any fractional remainders.</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> <p><del>1 off-street parking space.</del></p> <p><del>1 ½ garage per living unit</del></p> <p><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><b>Hotels</b></p>	<p>As determined by use permit.</p>
<p><b>Motels</b></p> <p><del>Trailer courts</del></p> <p><del>Rooming — houses — and boardinghouses</del></p>	<p>1 space per unit, plus applicable requirements for eating, drinking and assembly space.</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></p> <p><i>Cultural facilities – theatres</i></p> <p><del>Churches, lodges, clubs,</del></p>	<p><i>1 space for each 300 square feet of floor area.</i></p> <p><i>1 space for each 4 audience seats</i></p> <p><del>1 parking space for each 4 person capacity, but not less</del></p>



community centers, chapels	<del>than one space for each 15 square feet of the largest meeting hall</del>
Commercial recreation	<p>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.</p> <p><i>For commercial recreation uses that do not fall 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></p>
Marina	1 space per 0.75 berths.
Meeting halls	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.
Places of worship	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.
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>
Warehousing, wholesale stores, manufacturing, industrial uses, highway commercial uses	Minimum of 2 spaces for every 3 employees on the largest shift, but not less than 1 space for each 1,000 square feet of gross floor area. Parking may be off-site within 300 feet upon approval of the planning commission.
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 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. Accessory structures not exceeding 200 square feet 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 and 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. 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. 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. 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. 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:*

<del>Total Spaces Required</del>	<del>Minimum Number of Handicapped Spaces Required</del>
<del>1—24</del>	<del>0</del>
<del>25—99</del>	<del>1</del>
<del>100—199</del>	<del>2</del>
<del>200 or greater</del>	<del>4</del>

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.*

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.

**17.34.120 I. Driveway grades.** 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.~~

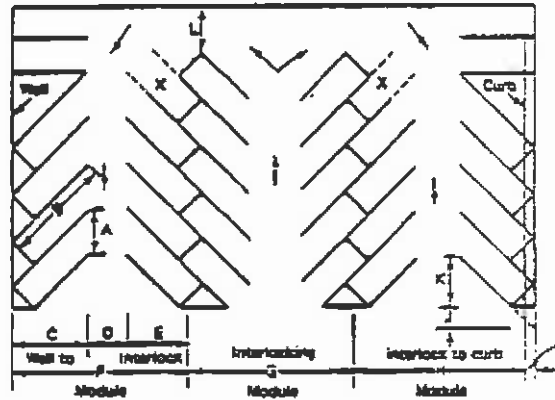
J. On-site turnaround. Off-street parking facilities shall be designed to provide on-site turnaround capability, except that the parking spaces for a single-family residence, secondary dwelling unit or duplex may be designed to back into a non-arterial street. On-site turnaround capability shall be designed so as not to conflict with required parking spaces, including any recognized tandem spaces.

**17.34.100 K. Parking lot landscaping.** ~~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. The landscape plans shall incorporate vegetated drainage swale features, 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 ½) 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 suitable in certain layouts  
Parking layout dimensions (in ft) for 9-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	Aisle Width	Wall to Wall Module
45°	8.0	10.5	17.0	11.0	45.0
60°	8.0	8.7	17.7	14.0	49.4
75°	8.0	7.8	17.3	17.4	52.0
90°	8.0	7.5	16.0	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: ~~(1)~~ **(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.

~~6. 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 parking space (either covered or uncovered at the discretion of the applicant) per dedicated unit.**

**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. ~~3.~~ 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. ~~4.~~ 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.** 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.~~ 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.

SURVEY OF RESIDENTIAL PROJECTS  
COMPARING EXISTING AND PROPOSED PARKING REQUIREMENTS  
(Sites shown in *italics* would no conform with the draft parking requirements)

<u>Address</u>	<u>Project</u>	<u>Floor Area in Sq. Ft.*</u>	<u>Existing Parking Covered/Off-/On-Street</u>	<u>Current Requirement</u>	<u>Draft Requirement</u>
205 Alvarado	SFR	3,905 - 400 = 3,505 (815 SF garage)	3 garages + 2 off-street	2 covered + 2 on/off-street	2 covered + 2 off-street
<i>118 Alvarado</i>	<i>SFR</i>	<i>2,324 - 324 = 2,000</i> <i>(324 SF garage)</i>	<i>2 garages + 1 parallel off-street + 1 on-street</i>	<i>2 covered + 2 on/off-street</i>	<i>2 covered + 1 off-street</i>
417 Alvarado	SFR Add.	2,149 - 366 = 1,783 (324 SF garage)	1 garage + 2 off-street	2 covered + 2 on/off-street	1 covered + 1 off-street
<i>4050 Bayshore</i>	<i>SFR</i>	<i>4,862 - 400 = 4,462</i> <i>(735 SF garage)</i>	<i>3 garages + 3 off-street with limited turnaround</i>	<i>2 covered + 2 on/off-street</i>	<i>2 covered + 3 off-street</i>
150 Glen Pkwy	SFR	3,300 - 400 = 2,900 (400 SF garage)	2 garages + 2 off-street	2 covered + 2 on/off-street	2 covered + 2 off-street
220 Humboldt	SFR w/c	1,630 - 400 = 3,230 (760 SF garage)	3 garages + 1 off-street	2 covered + 2 on/off-street	2 covered + 2 off-street
230 Humboldt	SFR w/c	2791 - 385 = 2,406 (385 garage)	2 garages + 2 off-street + 1 on-street	2 covered + 2 on/off-street	2 covered + 1 off-street
271 Humboldt	SFR Add.	2,118 - 333 = 1,785 (333 SF carport)	2 carports + 2 off-street	2 covered + 2 on/off-street	1 covered + 1 off-street
300 Humboldt	SFR	3,472 - 400 = 3,072 (684 SF garage)	3 garages + 1 off-street	2 covered + 2 on/off-street	2 covered + 2 off-street
760 Humboldt	SFR Add.	2,156 - 400 = 1,756 (410 SF garage)	2 garages + 2 off-street	2 covered + 2 on/off-street	1 covered + 1 off-street
787 Humboldt	SFR	3,374 - 369 = 3,005 (369 SF garage)	2 garages + 2 off-street	2 covered + 2 on/off-street	2 covered + 2 off-street
930 Humboldt	SFR	2,450 - 400 = 2,050 (550 SF garage)	2 garages + 2 off-street	2 covered + 2 on/off-street	2 covered + 1 off-street
1030 Humboldt	SFR w/c	2,649 - 400 = 2,249 (400 SF garage)	2 garages + 2 off-street	2 covered + 2 on/off-street	2 covered + 1 off-street
<i>1030 Humboldt</i>	<i>SFR &amp; SDU</i>	<i>4,034 - 400 = 3,634</i> <i>(462 SF garage)</i> <i>864 - 266 = 598</i> <i>(266 SF garage)</i>	<i>2 garages + 1 off-street + 2 parallel off-street</i> <i>1 garage + 1 off-street</i>	<i>2 covered + 2 on/off-street</i> <i>2 on-site</i>	<i>2 covered + 3 off-street</i> <i>1 covered + 1 off-street</i>
1056 Humboldt	SFR w/c	3,311 - 400 = 2,911 (400 SF garage)	2 garages + 2 off-street	2 covered + 2 on/off-street	2 covered + 2 off-street
1142 Humboldt	SFR Add.	1,576 - 200 = 1,376 (200 SF garage)	1 garage + 3 off-street	2 covered + 2 on/off-street	1 covered + 1 off-street
70 Kings	SFR	3,000 - 400 = 2,600 (962 SF garage)	3 garages + 1 off-street	2 covered + 2 on/off-street	2 covered + 1 off-street
71 Kings	SFR	2,232 - 400 = 1,832 (418 SF garage)	2 garages + 2 off-street	2 covered + 2 on/off-street	2 covered + 1 off-street
75 Kings	SFR	2,484 - 323 = 2,161 (323 SF garage)	2 garages + 2 off-street	2 covered + 2 on/off-street	2 covered + 1 off-street
77 Kings	SFR	1,920 - 323 = 1,597 (323 SF garage)	2 garages + 2 off-street	2 covered + 2 on/off-street	1 covered + 1 off-street
80 Kings	SFR	3,500 - 400 = 3,100 (879 SF garage)	4 garages	2 covered + 2 on/off-street	2 covered + 2 off-street
85 Kings	SFR	1,950 - 323 = 1,627 (323 SF garage)	2 garages + 2 off-street	2 covered + 2 on/off-street	1 covered + 1 off-street

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<u>Address</u>	<u>Project</u>	<u>Floor Area in Sq. Ft.*</u>	<u>Existing Parking Covered/Off-/On-Street</u>	<u>Current Requirement</u>	<u>Draft Requirements</u>
306 Kings	SFR	3,282 - 347 = 2,935 (347 SF garage)	2 garages + 2 off-street	2 covered + 2 on/off-street	2 covered + 2 off-street
310 Kings	SFR	3,868 - 400 = 3,468 (556 SF garage)	2 garages + 2 off-street	2 covered + 2 on/off-street	2 covered + 2 off-street
320 Kings	SFR	1,498 - 333 = 1,165 (333 SF garage)	2 garages	1 covered + 1 off-street	1 covered + 1 off-street
441 Kings	SFR	3,618 - 400 = 3,218 (414 SF garage)	2 garages + 1 off-street + 1 parallel off-street	2 covered + 2 on/off-street	2 covered + 2 off-street
459 Kings	SFR	3,016 - 292 = 2,724 (292 SF garage)	2 garages + 2 off-street	2 covered + 2 on/off-street	2 covered + 2 off-street
392 Klamath	SRF Add.	1,670 - 167 = 1,503 (167 SF garage)	1 garage + 1 off-street	1 covered + 1 off-street	1 covered + 1 off-street
405 Klamath	SFR	1,980 - 400 = 1,580 (440 SF garage)	2 garages + 2 off-street	2 covered + 2 on/off-street	1 covered + 1 off-street
153 Lake	SFR Add.	1,453 - 400 = 1,053 (405 SF garage)	2 garages	1 covered + 1 off-street	1 covered + 1 off-street
1 Lehnig	SFR	2,683 - 400 = 2,283 (416 SF garage)	2 garages + 2 off-street	2 covered + 2 on/off-street	2 covered + 1 off-street
30 Mariposa & 40 Mariposa & 50 Mariposa	3-plex	1,075 - 234 = 841 (234 SF garage) 1,598 - 400 = 1,198 (400 SF garage) 2,434 - 400 = 2,034 (400 SF garage)	1 garage + 1 off-street 2 garages + 2 off-street 2 garages + 2 off-street	1.5 garages 1.5 garages 1.5 garages	1 covered + 1 off-street 1 covered + 1 off-street 2 covered + 1 off-street
51 Mariposa	SFR	5,122 - 400 = 4,722 (419 SF garage)	2 garages + 2 off-street + 1 3-in-tandem off-street	2 covered + 2 on/off-street	2 covered + 4 off-street
425 Mariposa	SFR Add.	1,952 - 400 = 1,552 (432 SF garage)	1 garage + 1 off-street	1 covered + 1 off-street	1 covered + 1 off-street
119 Mendocino	SFR	2,036 - 215 = 1,841 (215 SF carport)	2 garages + 2 on-street	2 covered + 2 on/off-street	2 covered + 1 off-street
51 Mono	SFR Add	2,413 - 301 = 2,112 (301 SF garage)	2 garages + 1 off-street (all 3-in-tandem)	1 covered + 2 on/off-street	2 covered + 1 off-street
349 Monterey	SFR Add	4,498 - 361 = 4,137 (361 SF garage)	2 garages + 1 off-street + 1 3-in-tandem off-street	2 covered + 2 on/off-street	2 covered + 2 off-street
25 San Benito	SFR	2,950 - 400 = 2,550 (944 SF garages)	4 garages + 2 off-street	2 covered + 2 on/off-street	2 covered + 1 off-street
171 San Benito	SFR Add.	2,124 - 180 = 1,944 (180 SF garage)	1 garage + 1 off-street	1 covered + 1 off-street	2 covered + 1 off-street
175 San Benito	SFR Add.	1,872 - 162 = 1,710 (162 SF garage)	1 garage + 1 off-street	1 covered + 1 off-street	1 covered + 1 off-street
195 San Benito & 197 San Benito	Duplex Add	2,668 - 252 = 2,416 (252 SF garage) 447 - 0 = 447 no SF garage)	1 garage + 2 off-street 1 off-street + 1 on-street	2 garages 1.5 garages	2 covered + 1 off-street 1 covered + 1 off-street
276 San Benito	SFR	1,920 - 400 = 1,520 (467 SF garage)	2 garages + 2 off-street	1 covered + 1 off-street	1 covered + 1 off-street

RZ-9-03

5/13/04 Commission Meeting

Address	Project	Floor Area in Sq. Ft.*	Existing Parking Covered/Off-/On-Street	Current Requirement	Draft Requirement
428 San Bruno & 428A San Bruno	Duplex	2,287 - 400 = 1,887 (438 SF garage) 2,475 - 400 = 2,075 (438 SF garage)	2 garages (in tandem) + 1 3-in-tandem off-street 2 garages (in tandem) + 1 3-in-tandem off-street	1.5 garages 1.5 garages	2 covered + 1 off-street 2 covered + 1 off-street
29 San Francisco	SFR w/c	3,134 - 400 = 2,734 (627 SF garage)	2 garages + 2 off-street	2 covered + 2 on/off-street	2 covered + 2 off-street
125 San Francisco Add	SFR	2,149 - 324 = 1,825 (324 SF garage)	1 garage + 1 off-street	1 covered + 1 off-street	2 covered + 1 off-street
225 Santa Clara	SFR w/c	3,366 - 366 = 3,000 (366 SF garage)	2 garages + 2 off-street	2 covered + 2 on/off-street	2 covered + 2 off-street
273 Santa Clara	SFR	2,684 - 372 = 2,312 (372 SF garage)	1 garage + 1 off-street	1 covered + 1 off-street	2 covered + 1 off-street
281 Santa Clara & 283 Santa Clara	SFR SDU	2,917 - 400 = 2,517 (530 SF garage) 632 - 0 = 632 no garage	2 garage + 2 off-street 2 off-street (in tandem)	2 covered + 2 on/off-street 2 on-site	2 covered + 1 off-street 1 covered + 1 off-street
44 Sierra Point	SFR w/c	1,943 - 285 = 1,658 (285 SF garage)	1 garage + 1 off-street	1 covered + 1 off-street	1 covered + 1 off-street
110 Sierra Point	SFR w/c	2,923 - 400 = 2,523 (460 SF garage)	2 garage + 2 off-street	2 covered + 2 on/off-street	2 covered + 1 off-street
44 Solano	SFR Add.	1,848 - 180 = 1,668 (180 SF garage)	1 garage + 1 off-street	2 covered + 1 on/off-street	1 covered + 1 off-street
14 Trinity	SFR	3,600 - 388 = 3,212 (388 SF garage)	2 garages + 2 off-street	2 covered + 2 on/off-street	2 covered + 2 off-street
240 Trinity	SFR Add.	5,299 - 400 = 4,899 (495 + 509 SF garages)	4 garages + 3 off-street	2 covered + 2 on/off-street	2 covered + 4 off-street
136 Tulare	SFR	2,004 - 400 = 1,604 (604 SF garage)	2 garages + 2 off-street	2 covered + 2 on/off-street	1 covered + 1 off-street
171 Tulare	SFR	3,500 - 400 = 3,100 (431 SF garage)	2 garages + 2 off-street	2 covered + 2 on/off-street	2 covered + 2 off-street
173 Tulare	SFR	4,188 - 400 = 2,788 (431 SF garage)	2 garages + 2 off-street	2 covered + 2 on/off-street	2 covered + 2 off-street
175 Tulare	SFR	3,500 - 400 = 3,100 (431 SF garage)	2 garages + 2 off-street	2 covered + 2 on/off-street	2 covered + 2 off-street
177 Tulare	SFR	3,500 - 400 = 3,100 (431 SF garage)	2 garages + 2 off-street	2 covered + 2 on/off-street	2 covered + 2 off-street
201 Tulare	SFR	4,396 - 400 = 3,996 (440 SF garage)	2 garages + 2 off-street	2 covered + 2 on/off-street	2 covered + 3 off-street
236 Tulare & 238 Tulare	Duplex	3,549 - 400 = 3,149 (463 SF garage) 1,461 - 379 = 1,082 (379 SF garage)	2 garages + 2 off-street 2 garages + 2 off-street	2 garages 1.5 garages	2 covered + 2 off-street 1 covered + 1 off-street
237 Tulare & 239 Tulare	Duplex	2,242 - 351 = 1,891 (351 SF garage) 2,180 - 289 = 1,891 (289 SF garage)	2 garages + 2 off-street 2 garages + 1 off-street	2 garages 2 garages	2 covered + 1 off-street 2 covered + 1 off-street
260 Tulare	SFR Add	2,396 - 281 = 2,115 (281 SF garage)	1 garage + 1 off-street	2 covered + 2 on/off-street	2 covered + 1 off-street

\*excluding up to 400 sq. ft. of garage per unit

H. 2-36.



CALIFORNIA GOVERNMENT CODE

**65906.** Variances from the terms of the zoning ordinances shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

A variance shall not be granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

The provisions of this section shall not apply to conditional use permits.

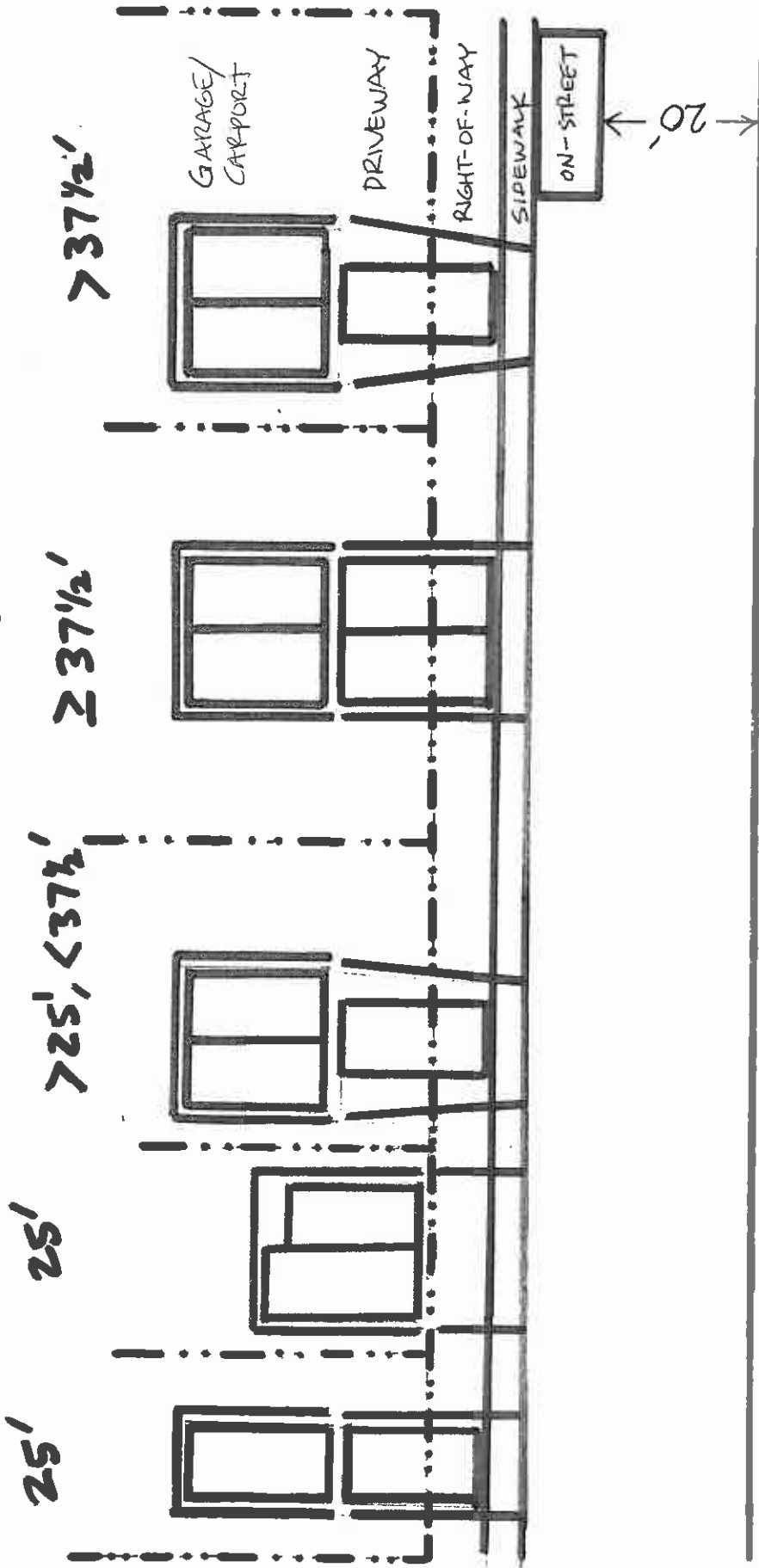
**65906.5.** Notwithstanding Section **65906**, a variance may be granted from the parking requirements of a zoning ordinance in order that some or all of the required parking spaces be located offsite, including locations in other local jurisdictions, or that in-lieu fees or facilities be provided instead of the required parking spaces, if both the following conditions are met:

(a) The variance will be an incentive to, and a benefit for, the nonresidential development.

(b) The variance will facilitate access to the nonresidential development by patrons of public transit facilities, particularly guideway facilities.

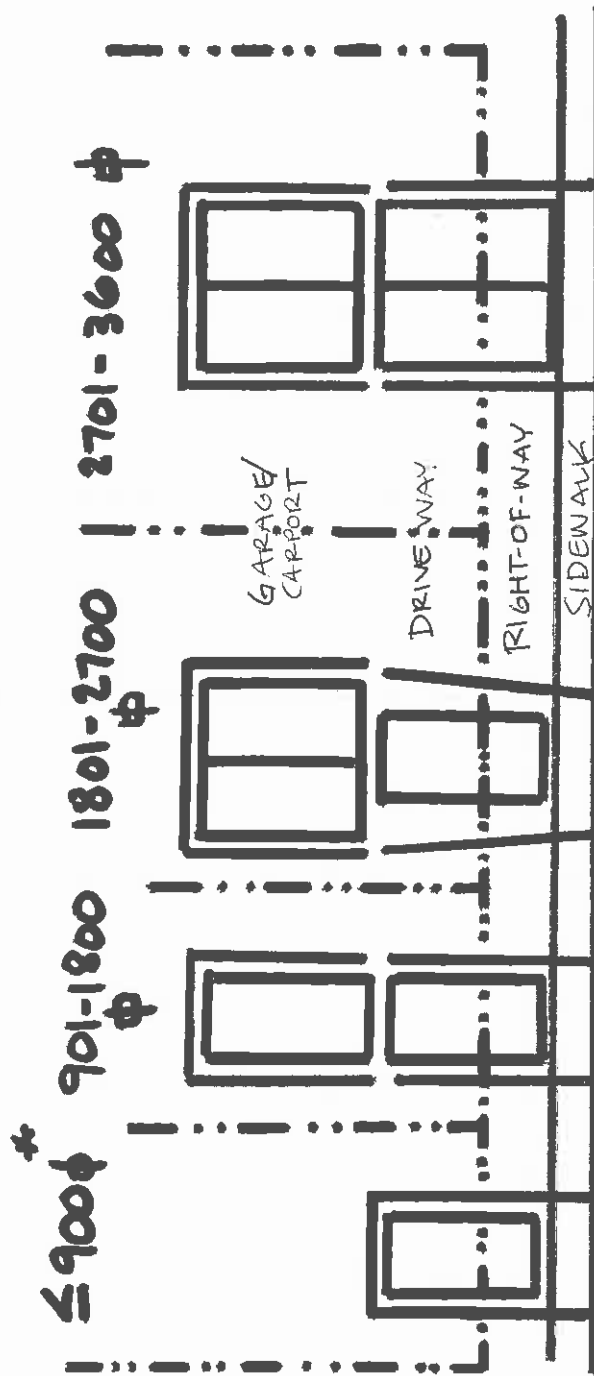
# PARKING DIAGRAM

## CURRENT PARKING REQUIREMENTS PER LOT FRONTAGE



# PARKING DIAGRAM

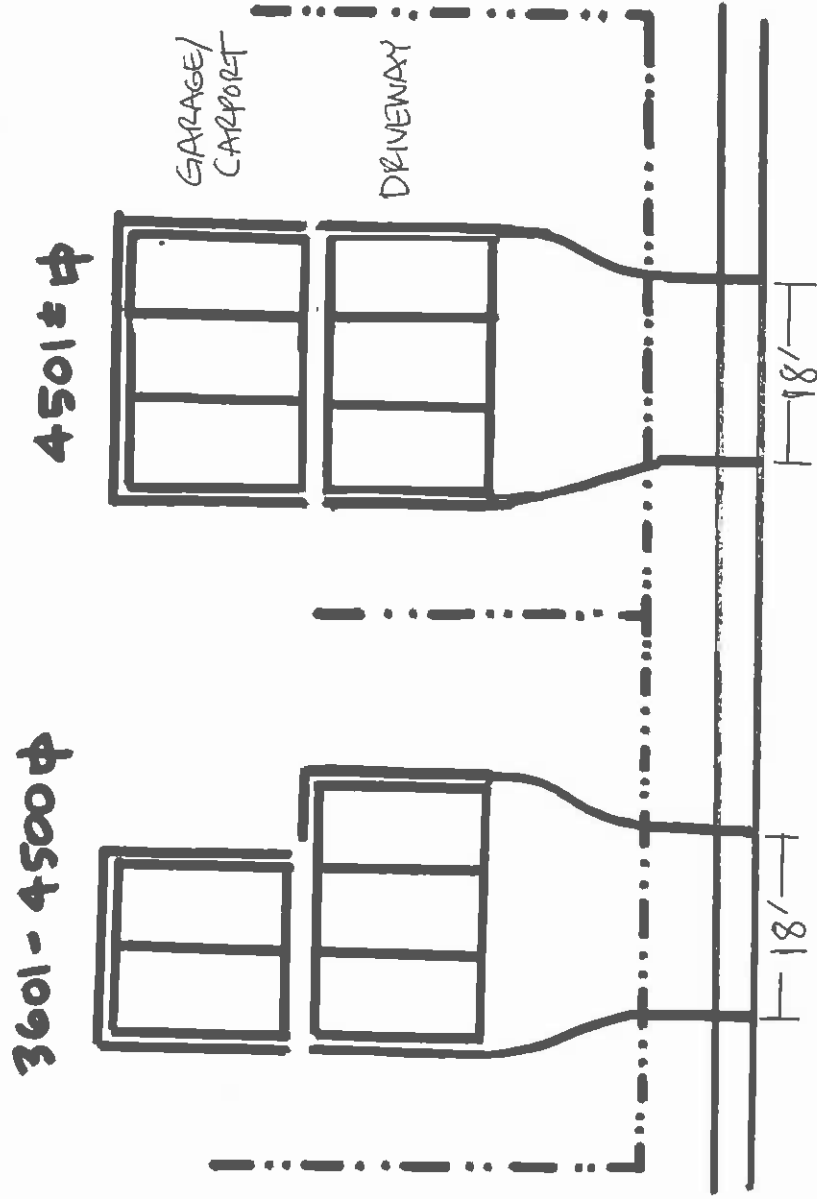
## 2004 RECOMMENDED PARKING REQUIREMENTS PER FLOOR AREA



\* Staff's suggestion 2011

# PARKING DIAGRAM

## 2004 RECOMMENDED PARKING REQUIREMENTS PER FLOOR AREA



# PARKING DIAGRAM

## ON/OFF-STREET PARKING

