

# *City of Brisbane*

## *Planning Commission Agenda Report*

TO: Planning Commission For the Meeting of 10/27/11

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, H.I.1.b & H.I.1.c, Regarding Parking Requirements

**RECAP:** At the October 13th study session, two Planning Commissioners indicated that the approach taken by the Planning Commission in 2004, basing the parking requirements upon floor area, should be replaced with a minimum standard of 2 spaces per unit plus 1 space for each bedroom, with only 1 space required for units not over 900 sq. ft. and an additional parking space for dwellings over 3,000 sq. ft. in floor area; thus, a 3-bedroom dwelling over 3,000 sq. ft., for example, would have to provide 5 parking spaces.

One Commissioner recommended that the ordinance not specify any requirement for covered parking, but another pointed out that this could result in large parking lots for multi-family projects.

Two Commissioners said that accepting 3-in-tandem parking should require Commission approval. Although the Commissioners agreed that recognizing on-street parking should also require Commission approval, concern was expressed that the ordinance include language crafted to avoid labeling “nonconforming” those existing homes that would rely upon on-street parking. Addressing those same concerns, the Commissioners agreed that new design standards for garages should distinguish existing garages from proposed ones.

**FOLLOW-UP:** The previous study session identified two issues to be addressed further in the draft parking ordinance amendment—what would be the implications of switching to a parking standard based primarily upon number of bedrooms, and how could existing dwellings that would not comply with the new standards be accommodated?

**Bedrooms and Floor Area:** The 2007-2014 Housing Element’s Program H.I.1.b called for taking a second look at bedroom-based parking standards, because the State uses number of bedrooms as the basis for its parking standards in regards to secondary dwelling units and concessions for density bonus units. The approach that came out of the previous study session would set a minimum standard of 2 spaces per unit plus 1 space for each bedroom, with exceptions for units not over 900 sq. ft. or over 3,000 sq. ft. in floor area. This would be higher for units with 2 or more bedrooms than either the City’s or the State’s requirements (see following table).

<b>PARKING STANDARDS</b>					
	Studio	1-BR	2-BR	3-BR	4+-BR
<b>Brisbane Municipal Code Section 17.34.010:</b>					
SDU	2 <sup>a b</sup>	2 <sup>a b</sup>	2 <sup>a b</sup>	2 <sup>a b</sup>	2 <sup>a b</sup>
Duplex/MFDU	1	1.5 <sup>ac</sup>	1.5 <sup>ac</sup>	2 <sup>ac</sup>	2 <sup>ac</sup>
<b>California Government Code Section 65852.2(e):</b>					
SDU	1	1	2	3	4
<b>California Government Code Section 65915(p)(1):</b>					
Density Bonus	1 <sup>a</sup>	1 <sup>a</sup>	2 <sup>a</sup>	2 <sup>a</sup>	2.5 <sup>a</sup>
<b>Preliminary Proposal at 10/13/11 Study Session</b>					
All Unit Types	1	2 <sup>d</sup>	3	4 <sup>e</sup>	5 <sup>e</sup>

BR = Bedroom

SDU = Secondary Dwelling Unit

MFDU = Multi-Family Dwelling Unit (triplex or larger)

<sup>a</sup> Required to be on-site (all others may be off-street)

<sup>b</sup> Required to standard size (typically, 50% of all others may be compact)

<sup>c</sup> Required to be covered and enclosed on 3 sides (all others may be uncovered)

<sup>d</sup> Only 1 space if not over 900 sq. ft.

<sup>e</sup> Plus 1 space if over 3,000 sq. ft. in floor area

This would be an opportune time to re-examine the data collected previously, with this new approach in mind.

As was noted in the previous study session agenda report, the parking counts taken at Altamar at the Ridge found a range of 233 to 277 parked vehicles on random Wednesday evenings, averaging 255. There is a total of 214 units at Altamar, ranging in size from 1 bedroom with den to 3 bedrooms. The total number of bedrooms is 436. Thus, the average number of parked vehicles per bedroom found was only 0.58. The average floor area found was 1,144 sq. ft. per parked vehicle.

<b>ALTAMAR PARKING SURVEY</b>	
DATE/TIME	PARKED VEHICLES
Wednesday, July 24, 2002, 7:00 p.m.	233
Wednesday, January 15, 2003, 7:15 p.m.	277
Wednesday, April 14, 2004, 7:00 p.m.	234
Wednesday, June 15, 2011, 7:15 p.m.	276
AVERAGE	255

<b>ALTAMAR UNITS SIZES</b>			
<b>TYPE OF UNIT</b>	<b>NUMBER OF UNITS</b>	<b>SQ. FT.</b>	<b>TOTAL BEDROOMS</b>
2-bedroom	51	1,070	102
2-bedroom	42	1,243	84
1-bedroom + den	21	1,280	21
2-bedroom + den	29	1,520	58
3-bedroom	29	1,520	87
2-bedroom + den	42	1,663	84
<b>TOTAL</b>	<b>214</b>	<b>291,662</b>	<b>436</b>

Although vehicle ownership information is not yet available from the 2010 U.S. Census, vehicle ownership per household data is available for Brisbane from the 1990 and 2000 U.S. Censuses.

According to the 1990 U.S. Census, all but 99 of the 1,300 total number of households in Brisbane had at least one car. Of the 1,687 employed persons in Brisbane 16 years or older, 1,283 (76.1%) drove alone to work and 238 (14.1%) carpooled. Of those who carpooled, 180 were in a 2-person carpool and the remainder were in larger carpools. Assuming that at least half of those persons in the 2-person carpools owned a car, the total number of cars owned by Brisbane residents who worked would have been 1,373. This would translate into an ownership rate of at least 0.8 cars per employed person 16 years or older.

At that time, 2,460 Brisbane residents out of a total of 2,952 were 16 years or older. If the same ownership rate were applied to the entire population 16 years or older (employed or not), excluding the at least 99 persons in households without cars, there would have been 1,889 vehicles owned by local residents, amounting to 1.45 per household. This would be quite an assumption, since it would probably exaggerate ownership rates for those who were at the upper and lower ends of the range of ages covered, particularly since those 65 years or older were specifically known to have a lower car ownership rate. For example, of the 99 households in Brisbane without any vehicles, 33% were headed by a householder at least 65 years old, while only 10% of the total households in Brisbane were headed by a householder at least that old. This exaggeration might compensate, though, for the lack of data on the number of persons owning multiple vehicles.

According to the 1990 U.S. Census, the average housing unit in Brisbane had 4.57 rooms, including 2.01 bedrooms. While there was no information on the average size of housing units in Brisbane, the nationwide median home at that time contained 5.4 rooms, including 2.6 bedrooms, and 1,688 sq. ft. Extrapolating from these figures, the average housing unit in Brisbane was 1,305-1,428.5 sq. ft. At 1.45 vehicles per unit, this would translate to 1 vehicle per 900-985 sq. ft. or 0.72 vehicles per bedroom.

Data regarding vehicle ownership in Brisbane from the 2000 U.S. Census generally corroborates the conclusions drawn from the 1990 U.S. Census. In 2000, 72 households out of a total of 1,614 had no vehicles available, 621 had 1 vehicle, 701 had 2 vehicles and 220 had 3 or more. This translates into a total of at least 2,683 vehicles and an average of at least 1.66 vehicles per household. According to the 2000 U.S. Census, of the 2,079 employed persons in Brisbane 16 years or older, 1,498 drove alone to work (72.1%, down from 76.1% in 1990) and 273 carpooled (13.1%, down from 14.1% in 1990; additional details regarding carpool size are not available). Assuming that at least half of those persons in the 2-person carpools owned a car, the total number of cars owned by Brisbane residents who worked would be 1,635. This would translate into an ownership rate of at least 0.8 cars per employed person 16 years or older (the same as in 1990).

In 2000, an estimated 3,031 Brisbane residents out of a total of 3,597 were 16 years or older (based upon extrapolation from data released to date that 3,065 were 15 years or older, 184 were 10 to 14 years old, and 160 were 15 to 19 years old). If the same ownership rate were applied to the entire population 16 years or older (employed or not), there would have been 2,425 vehicles owned by local residents, amounting to 0.67 vehicles per person (of any age) or 1.5 per household.

According to the U.S. Census, the median number of rooms per unit in Brisbane was 4.4 in 2000. While there was no information on the average size of housing units in Brisbane, the nationwide median home in 1990, as noted above, contained 5.4 rooms and 1,688 sq. ft. Extrapolating from these figures, the median housing unit in Brisbane in 1990 was approximately 1,305-1,428.5 sq. ft. According to the 2000 U.S. Census, 1,388 units were built before 1990. According to City records, 277 units were issued Certificates of Occupancy in Brisbane from 1990 through March 2000 (the 2000 U.S. Census counted 430 units, including the unoccupied units at The Ridge). These 277 units contained an estimated total of 482,707 gross sq. ft. of floor area. Thus, the average housing unit built in Brisbane from 1990 to the time of the 2000 U.S. Census was 1,743 sq. ft. The weighted average floor area per housing unit in Brisbane at the time of 2000 U.S. Census would then be estimated to be 1,378-1,481 sq. ft. With at least 1.66 vehicles per household, this would translate to 1 vehicle per 830-892 sq. ft. Although information on average number of bedrooms per unit was not collected in the 2000 U.S. Census, it could be extrapolated from the 1990 Census that a 4.4 room unit would have 1.94 bedrooms. At 1.5 vehicles per unit, this would translate to 0.77 vehicles per bedroom.

Adopted parking standards based upon the number of bedrooms vary widely throughout the state. An analysis of 160 jurisdictions in California that based their multi-family residential parking requirement upon the number of bedrooms found an average requirement of 1.77 spaces for studio units, 1.87 spaces for 1-bedroom units, 2.14 spaces for 2-bedroom units and 2.33 spaces for 3-bedroom units (see following table). These figures could lend themselves to a simpler ratio of 1.75 spaces for studio units, 2 spaces for 1-bedroom units, 2.25 spaces for 2-

bedroom units and 2.5 spaces for 3-bedroom units. This could also be converted into a formula of 1.75 spaces per unit plus 0.25 spaces for each bedroom in each unit.

<b>MULTI-FAMILY PARKING REQUIREMENT FOR 160 JURISDICTIONS</b>				
	Studio	1-Bedroom	2-Bedroom	3-Bedroom
Mode	1.5 spaces	1.5-2 spaces	2-2.25 spaces	2-2.5 spaces
Average	1.77 spaces	1.87 spaces	2.14 spaces	2.33 spaces

If we were to stack up all of these potential ratios of parking spaces per bedroom, we would see that the approach that came out of the previous study session falls at the high extreme. Although it may intuitively make sense to generally require a minimum of 1 space per unit plus 1 space per bedroom, assuming a minimum occupancy of 2 adults in a 1-bedroom unit, with the potential for 1 driving-age occupant in each additional bedroom, staff could find no data to support these assumptions.

<b>PARKING STANDARDS</b>					
	Studio	1-BR	2-BR	3-BR	4-BR
<b>Brisbane Municipal Code Section 17.34.010:</b>					
Duplex/MFDU	1	1.5 <sup>ac</sup>	1.5 <sup>ac</sup>	2 <sup>ac</sup>	2 <sup>ac</sup>
<b>California Government Code Section 65852.2(e):</b>					
SDU	1	1	2	3	4
<b>California Government Code Section 65915(p)(1):</b>					
Density Bonus	1 <sup>a</sup>	1 <sup>a</sup>	2 <sup>a</sup>	2 <sup>a</sup>	2.5 <sup>a</sup>
<b>1990 U.S. Census: Brisbane Vehicle Ownership Rates</b>					
0.72 per BR	N/A	0.72	1.44	2.16	2.88
<b>2000 U.S. Census: Brisbane Vehicle Ownership Rates</b>					
0.77 per BR	N/A	0.77	1.54	2.31	3.08
<b>Average for 160 Jurisdictions</b>					
MFDU	1.77	1.87	2.14	2.33	N/A
<b>Preliminary Proposal at 10/13/11 Study Session</b>					
All Unit Types	1 <sup>d</sup>	2 <sup>d</sup>	3	4 <sup>e</sup>	5 <sup>e</sup>

BR = Bedroom

SDU = Secondary Dwelling Unit

MFDU = Multi-Family Dwelling Unit (triplex or larger)

<sup>a</sup> Required to be on-site (all others may be off-street)

<sup>b</sup> Required to standard size (typically, 50% of all others may be compact)

<sup>c</sup> Required to be covered and enclosed on 3 sides (all others may be uncovered)

<sup>d</sup> Only 1 space if not over 900 sq. ft.

<sup>e</sup> Plus 1 space if over 3,000 sq. ft. in floor area

N/A Data not available

Instead, the comparison actually supports the City’s current standard for duplexes and multi-family dwelling units (rounding up the fractions for single-family dwellings), except at either end of the scale. At the low end, the Commission has already expressed support for requiring only 1 space for studio and 1-bedroom units not exceeding 900 sq. ft. in area. At the high end, staff’s recent survey of vehicles parked at houses at least 3,600 sq. ft. in floor area (see below) indicated there might be a potential need for additional parking for larger units, but the results were not definitive. If the Commission finds that the potential to convert the extra rooms in larger dwellings into bedrooms is a great enough concern, staff would suggest requiring an additional parking space for units over 3,600 sq. ft. That number would be based upon the current 0.72 maximum floor area ratio, which would only permit construction of such dwellings on sites over 5,000 sq. ft. Note, too, the requirement for additional guest parking spaces for developments of 5 or more units (including residential subdivisions) proposed in Section 17.32.020.A of the draft ordinance.

Thus, if the Commission wishes to continue to pursue this approach, staff suggests that the City’s current ratios for multi-family units be applied to single-family residences and secondary dwelling units as well, with adjustments at the upper and lower ends of the scale:

DRAFT ALTERNATIVE PARKING STANDARDS						
	Studio	1-BR	2-BR	3-BR	4-BR	5-BR
All Unit Types	1 <sup>a</sup>	1.5 <sup>b</sup>	1.5	2 <sup>c</sup>	3 <sup>c</sup>	4 <sup>c</sup>

BR = Bedroom

<sup>a</sup> 1.5 spaces if over 900 sq. ft. in floor area

<sup>b</sup> Only 1 space required if not over 900 sq. ft. in floor area

<sup>c</sup> Plus 1 space if over 3,600 sq. ft. in floor area

**Nonconforming Status:** Any change in the current parking requirements has the potential to render some existing dwellings nonconforming in terms of required parking. To minimize this, the Commission requested that the ordinance include language crafted to avoid labeling “nonconforming” those existing homes that would rely upon on-street parking. Such language was included in the recommended garage design standards (Section 17.34.050.G/H). Along those lines, staff suggests the following additional language:

*3. Garages existing as of \_\_\_ [the date this section takes effect], constructed in compliance with applicable standards then in effect, shall be considered conforming until such time as they are substantially modified or replaced, except that Section 17.38.090 shall apply in the event that they are damaged or destroyed by fire, flood, wind, earthquake, or other calamity.*

VEHICLES PARKED AT HOUSES AT LEAST 3,600 SQ. FT. IN FLOOR AREA (2011)			
ADDRESS	FLOOR AREA (SQ. FT.)*	BEDROOMS	3-DAY AVERAGE NUMBER OF PARKED CARS
51 Mariposa Street	4,722	4	2-car garage: unknown driveway: 3 (max. 4) off-street: 0.67 (max 1)
276 Sierra Point Road	4,495	3	2-car garage: unknown driveway: 0 off-street: 1.67 (max 2)
4050 Bayshore Boulevard	4,462	4	3-car garage: unknown driveway: 0.67 (max 1)
728 Humboldt Road	4,230	3	3-car garage: unknown driveway: 0.33 (max 1)
100 Kings Road	4,159	4	2-car garage: unknown driveway: 0 off-street: 2 (max 3)
325 Humboldt Road	4,071	4	2-car garage: unknown driveway: 0.33 (max 1)
201 Tulare Street	3,996	5	2-car garage: unknown driveway: 0.33 (max 1) off-street: 1 (max 2)
90 Santa Clara Street	3,955	5	2-car garage: unknown driveway: 0.67 (max 1) off-street: 1.67 (max 2)
215 Tulare Street	3,652	5	2-car garage: unknown driveway: 0.67 (max 2) off-street: 1.33 (max 2)

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

A more comprehensive approach would be to expand this as an exemption for all dwelling units existing as of the date the ordinance goes into effect:

*17.34.050 Exemptions, exceptions and modifications.*

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

*A. Dwelling units existing as of \_\_\_ [the date this section takes effect] shall be considered conforming in terms of the parking required by this chapter until such time as they are expanded or replaced, except that Section 17.38.090 shall apply in the event that they are damaged or destroyed by fire, flood, wind, earthquake, or other calamity.*

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

~~17.34.115~~ *17.34.050H* of this chapter, subject to the following restrictions and requirements: . . .

**RECOMMENDATION:** Provide direction to staff to prepare a draft ordinance for recommendation to the City Council. Adopt the attached draft Resolution No. RZ-5-11a to formally initiate the zoning text amendment process, once the Planning Commission is satisfied with its study of the subject.

**ATTACHMENTS:**

Draft Resolution RZ-5-11-a  
“Redline” Version of Parking Ordinance Amendments Recommended by the Planning Commission in 2004



draft  
RESOLUTION NO. RZ-5-11a

RESOLUTION OF INTENTION TO CONSIDER AMENDMENTS TO  
THE CITY OF BRISBANE MUNICIPAL CODE TITLE 17, ZONING,  
REGARDING OFF-STREET PARKING

WHEREAS, on January 18, 2011, the City Council adopted the 2007-2014 Housing Element; and

WHEREAS, the Planning Commission has determined that amending Municipal Code Chapter 17.34 to revise the residential parking requirements and adopt specific parking requirements for units designed and dedicated for use by seniors and persons with disabilities and for emergency shelters would be consistent with Housing Element Programs H.I.1.b, H.I.1.c, H.B.3.b, H.B.3.c and H.B.3.i, as well as General Plan Programs 22c and 253a; and

WHEREAS, the Planning Commission has determined that adopting parking design standards, parking use restrictions and parking requirement exemptions/exceptions/modifications would be consistent with General Plan Policies 6, 99 and 289 and Programs 22h, 32a, 32b, 46a, 56a and 56c.

NOW, THEREFORE, BE IT RESOLVED, that the City of Brisbane Planning Commission intends to consider amendments to the Title 17, Zoning, of the Brisbane Municipal Code.

\_\_\_\_\_  
JAMEEL MUNIR  
Chairman

I hereby certify that the foregoing Resolution No. RZ-5-11a was duly and regularly passed and adopted by the Brisbane Planning Commission at a regular meeting thereof held on \_\_\_\_\_, 2011, by the following roll call vote:

AYES:  
NOES:  
ABSENT:

\_\_\_\_\_  
JOHN SWIECKI  
Community Development Director

"REDLINE" VERSION OF PARKING ORDINANCE AMENDMENTS  
RECOMMENDED BY THE PLANNING COMMISSION IN 2004  
(UPDATED FOR 10/27/11 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 proposed at the 7/14/11, 7/28/11, 8/25/11, 9/8/11, 9/22/11 & 10/13/11 Planning Commission meetings are shown in **blue**. Additional revisions currently under consideration are shown in **pink**. 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.

**THE FOLLOWING IS A REVISION TO SECTION 17.12.040.D OF THE R-BA RESIDENTIAL DISTRICT (AS AMENDED PER RECENTLY ADOPTED ORDINANCE NO. 562):**

- D. Setbacks. The minimum required setbacks for any lot shall be as follows:
1. Front setback: Ten (10) feet.
  2. Side setback: Ten percent (10%) of the lot width, but in no event more than fifteen (15) feet or less than five (5) feet. *Notwithstanding the foregoing, the minimum side setback for garages or carports accessed from a street 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>Single-family homes <del>dwelling</del>s;  Secondary dwelling units;  Duplexes;  Multiple family dwellings;  Mobilehome park units;  Group care homes</p> <p>Single family homes on 25-foot lots</p> <p>Secondary dwelling units</p> <p>Duplex or multiple family dwelling units  — 0 bedroom — or — bachelor apartments  — 1 and 2 bedroom units  — Over 2 bedrooms</p>	<p><del>2</del> 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</p> <p><i>Parking spaces based upon floor area per unit, according to the following chart:</i></p> <table border="0"> <thead> <tr> <th><u>Unit Floor Area:</u></th> <th><u>Parking Spaces:</u></th> </tr> </thead> <tbody> <tr> <td><math>\leq 1,800</math> sq. ft.</td> <td>2 spaces including 1 covered</td> </tr> <tr> <td>1,801-2,700 sq. ft.</td> <td>3 spaces including 1 covered</td> </tr> <tr> <td>2,701-3,600 sq. ft.</td> <td>4 spaces including 2 covered</td> </tr> <tr> <td>3,601-4,500 sq. ft.</td> <td>5 spaces including 2 covered</td> </tr> <tr> <td>4,501+ sq. ft.</td> <td>6 spaces including 2 covered</td> </tr> </tbody> </table> <p><i>Only 1 standard-size space shall be required for units not exceeding 900 sq. ft. and with no more than one room at least seventy (70) square feet in area and not less than seven (7) feet in any plan dimension and located along an exterior wall, other than a living room, a kitchen, a dining room in proximity to the kitchen, bathrooms, and a laundry room. The space need not be covered. For secondary dwelling units exceeding 900 sq. ft. or with more than one room as described above, the second required space also need not be covered.</i></p> <p><i>Additional guest parking spaces shall be provided for all developments of <del>4</del> 5 (five) or more units, including residential subdivisions of <del>4</del> 5 (five) or more single-family residences, at the rate of 1 parking space for every <del>4</del> 5 (five) units, with no parking spaces required for any fractional remainders. The accessible parking spaces required per Section 17.34.040.D shall count as guest parking spaces.</i></p> <p><del>2</del> off street parking spaces one (1) of which shall be in a garage or carport</p> <p><del>2</del> standard on-site parking spaces</p> <p><del>1</del> off street parking space.</p> <p><del>1 1/2</del> garage per living unit  <del>2</del> garages per living unit.</p>	<u>Unit Floor Area:</u>	<u>Parking Spaces:</u>	$\leq 1,800$ sq. ft.	2 spaces including 1 covered	1,801-2,700 sq. ft.	3 spaces including 1 covered	2,701-3,600 sq. ft.	4 spaces including 2 covered	3,601-4,500 sq. ft.	5 spaces including 2 covered	4,501+ sq. ft.	6 spaces including 2 covered
<u>Unit Floor Area:</u>	<u>Parking Spaces:</u>												
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3,601-4,500 sq. ft.	5 spaces including 2 covered												
4,501+ sq. ft.	6 spaces including 2 covered												
Emergency shelters	0.35 space per bed plus 1 space per staff member on the												

	<i>largest shift.</i>
<i>Hotels, motels</i>	<del>As determined by use permit.</del> <i>1 space per unit, plus applicable requirements for restaurants, bars and meeting halls.</i>
<i>Motels</i>  <i>Trailer courts</i>  <del>Rooming houses and boardinghouses</del>	<del>1 space per unit, plus applicable requirements for eating, drinking and assembly space.</del>  <del>1 parking space per unit.</del>  <del>1 parking space per adult guest</del>
<del>Cultural facilities except theatres</del> <del>Cultural facilities theatres,</del> <del>meeting halls and places of worship</del> <del>Churches, lodges, clubs,</del> <del>community centers, chapels</del>	<i>1 space for each 50 <del>300</del> square feet of assembly area floor area, or 1 space for each 4 fixed audience seats, whichever is greater, plus 1 space for each 300 square feet of the remaining floor area of the building (meeting rooms not exceeding 750 square feet and ancillary to an office use shall be included with the floor area of the office in calculating the parking requirement for the office use).</i>  <del>1 parking space for each 4 person capacity, but not less than one space for each 15 square feet of the largest meeting hall</del>
<i>Commercial recreation</i>	<i>3 spaces per ball court;</i> <i>2.5 spaces per batting cage;</i> <i>4 spaces per lane for bowling alleys;</i> <i>2 spaces per tee for golf courses;</i> <i>20 spaces per playing field;</i> <i>2 spaces per shooting range;</i> <i>2 spaces per horse stall for stables;</i> <i>1 space per 100 square feet of water area for swimming pools.</i>  <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>
<i>Marinas</i>	<i>1 space per 0.75 berths.</i>
<i>Meeting halls</i>	<del>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</del>

	<del>included with the floor area of the office in calculating the parking requirements for the office use.</del>
<i>Places of worship</i>	<del>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.</del>
Schools - public private or commercial	1 space for each classroom and office.
Hospitals	1 space per bed plus 1 space for each 2 employees on the largest shift.
Financial services	1 space for each 200 square feet of gross floor area.
Administrative office	1 space for each 300 square feet of gross floor area.
Professional office	1 space for each 250 square feet of gross floor area.
Retail stores, restaurants, bars, offices	1 space for each 300 square feet of gross floor area.
Service stations	2 spaces for each working bay plus 1 space for each employee on the largest shift.
<del>Bowling alley, billiard parlor</del>	<del>5 spaces per lane; 2 spaces per table, plus 1 space for each employee on the largest shift</del>
<del>Warehousing, light fabrication, food production, media studios, printing wholesale stores, manufacturing, industrial uses, highway commercial uses</del>	<del>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.</del>
Convalescent hospitals, sanitariums, rest homes	1 space for each 7 beds plus 1 space for each 2 employees on the largest shift.

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

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

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

*3. No parking shall be required for Accessory structures not exceeding 200 square*

feet or less in floor area ~~shall be excluded from the calculation.~~

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

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

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

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

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

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

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

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

**17.34.030 Hillside lot improvement plans.**

~~A. On any hillside lot which is on an unimproved street or on a street on which, in the opinion of the city engineer, additional or future street improvements can be anticipated, the following information shall be provided for any application for a building permit:~~

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

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

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

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

THE FOLLOWING SECTION HAS BEEN MOVED TO SECTION 17.34.020:

**17.34.040 On-site parking requirements.**

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

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

**17.34.050 Joint use of parking facilities.**

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

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



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

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

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

THIS SECTION IS MOVED FROM SECTION 17.34.130:

**17.34.040 Design standards.**

~~A. Tables. Off-street parking ~~Parking~~ facilities shall comply with the design requirements standards as set forth in Table 1, applicable to standard size vehicles, and Table 2, applicable to small size compact vehicles, which appear immediately following this chapter and are incorporated herein by reference and made a part hereof. section. Variations to these tables may be approved by the city engineer, consistent with professionally accepted standards, where no more than two forward turning movements would be necessary to enter or exit any parking space.~~

~~17.34.070 B Surfacing and striping.~~

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

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

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

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

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

Total Spaces Required	Minimum Number of Handicapped Spaces Required
<del>1-24</del>	0
<del>25-99</del>	1

100—199	2
200 or greater	4

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

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

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

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

~~No washing machines, driers, water heaters, work benches, support posts and similar obstructions shall be located within the area of minimum width by minimum depth.~~

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

3. Garages existing as of \_\_\_\_ [the date this section takes effect], constructed in compliance with applicable standards then in effect, shall be considered conforming until such time as they are substantially modified or replaced, except that Section 17.38.090 shall apply in the event that they are damaged or destroyed by fire, flood, wind, earthquake, or other calamity.

H. 4 Driveway grades.

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

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

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

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

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

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

~~17.34.100 J. **Parking lot landscaping.** 1. Parking lots shall be landscaped with For any open parking area containing ten (10) or more parking spaces subject to design permit approval, landscape plans shall be submitted to provide trees, shrubs and ground cover, as appropriate according to approved design permit. The landscape plans shall provide at least one tree for every ten (10) parking spaces, which may be planted in diamond-shaped tree-wells or parkway strips, located so as to break up expanses of paved area.~~

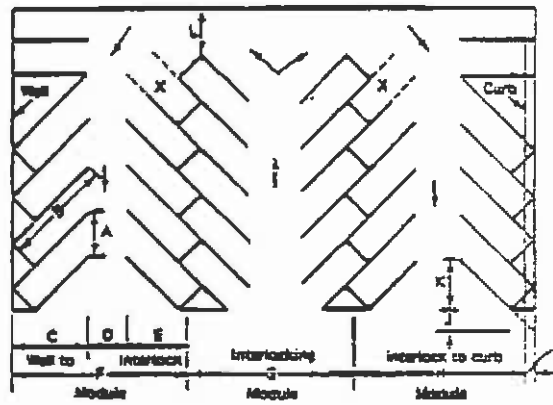
~~2. The landscape plans shall use water conserving plants, plants that are not invasive, and plants and other landscape features that are appropriate to the context. New and replacement irrigated landscapes of one thousand (1,000) square feet or more shall be subject to the water conservation requirements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

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

~~K **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 accessible 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	Bumper Overhang	Aisle Width	Wall to Wall Module
45°	8.0	10.5	17.0	1.7	11.0	45.0
60°	8.0	8.7	<del>17.7</del> 16.7	1.8	14.0	49.4
75°	8.0	7.8	<del>17.3</del> 16.3	1.9	17.4	52.0
90°	8.0	7.5	16.0	2	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 *off-street* parking facilities that conform with the requirements of this chapter may be expanded by a cumulative total of not more than four hundred (400) square feet without the need to bring the parking facilities into conformance or to obtain a use permit under Section ~~17.34.115~~ *17.34.050H* of this chapter, subject to the following restrictions and requirements:

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 *off-street* 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.

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

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

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

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

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

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

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

*4. ~~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 at the property's frontage may be recognized administratively subject to the city engineer's approval ~~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.*~~

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

*5. 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.*

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

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

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

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

~~± I. The planning commission shall have authority to grant a parking variance for nonresidential development to allow required parking to be located off-site. The provisions of Chapter 17.46 of this Title shall govern the filing and processing of the application for a variance pursuant to this Section; provided, however, that instead of the findings required for the granting of a variance, as set forth in Section 17.46.010, no such parking variance shall be granted unless the planning commission finds and determines that:~~

~~1. The variance would be an incentive to, and a benefit for, the nonresidential development; and~~

~~2. The variance will facilitate access to the nonresidential development by patrons of public transit facilities.~~

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

TOTAL NUMBER OF PARKING SPACES	NUMBER OF REQUIRED SPACES
0-9	0
10-25	1
26-50	3
51-75	6
76-100	8
101-150	11



151-200	16
201 and over	At least 8 percent of total

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

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

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

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

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

1. 1 space per 20,000 sq. ft. of warehouse floor area;
2. 1 space per 6,000 sq. ft. of retail floor area;
3. 1 space per 6,000 sq. ft. of office floor area;
4. Other non-residential uses: five percent (5%) of motorized vehicle parking capacity.
5. Any fractional result shall be rounded up.
6. For all non-residential buildings, the minimum capacity shall be for one bicycle.

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

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

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

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