



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: MAY 12, 2021

TO: PLANNING COMMISSION

FROM: DAVID M. REYES, DIRECTOR OF PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: ZONING CODE AMENDMENT TO PARKING REQUIREMENTS FOR ADDITIONS TO SINGLE-FAMILY RESIDENCES

RECOMMENDATION:

It is recommended that the Planning Commission:

1. **Find** that the Zoning Code Amendments are exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Class 5 – Minor Alterations in Land Use Limitations);
2. **Adopt** the Findings for Zoning Code Amendments in Attachment A; and
3. **Recommend** that the City Council approve the Zoning Code Amendments as outlined in this report.

BACKGROUND:

New construction of a single-family dwelling requires two parking spaces with either a carport or enclosed garage. Smaller additions of up to 150 square feet to single-family dwellings are exempt from this requirement. The City Manager has initiated a Zoning Code Amendment to eliminate the requirement for providing two covered parking spaces when constructing any addition, regardless of size, to an existing single-family dwelling.

Existing Regulations

The Zoning Code currently regulates parking requirements for newly constructed single-family residential dwellings as well as additions to existing single-family dwellings. Recent State laws also limit the types of parking requirements that local agencies can impose on Accessory Dwelling Units (ADU's), whether they are detached or converted from existing structures.

Parking for Single Family Residential Dwellings

Existing Zoning Code regulations require that parking for residential uses in residential zoning districts must be located on the same site as the use served, but may not be located within a required front or corner side setback.

With respect to new construction of single-family dwelling units, the Zoning Code requires two covered parking spaces within a garage or carport. The required minimum dimensions for each parking space is 8.5 feet wide by 18 feet deep, with a minimum garage door width of 20 feet, and tandem parking may not be used to satisfy the parking requirement. The Zoning Code also establishes a minimum driveway width of 8 feet, and a maximum width of 20 feet for two-car garages located at or near the front setback, or 10 feet for garages located to the rear of a lot.

Notwithstanding these requirements, the Zoning Code allows smaller additions to existing structures without adding additional covered parking. A specific provision allows additions with a maximum aggregate total of 150 square feet to be made without requiring the two-car covered parking requirement. As a result, any addition to an existing residence, including construction of an accessory structure such as a pool house or workshop, of over 150 square feet, triggers a requirement to provide two covered spaces within a garage or carport. The Zoning Code does, however, provide an exception for designated historic resources, wherein a homeowner may request a waiver of the covered parking requirement when adding floor area if an existing, one-car garage contributes to the significance of the property and/or district and is in good condition or will be returned to good condition as part of the work to add floor area to the dwelling.

State Law for ADU's

Beginning in 2017 and continuing each year thereafter, the State legislature has passed several bills requiring local jurisdictions to allow ADU's and limiting the types of regulations that can be enforced on them, with the goal of removing cost and space limitations for homeowners looking to build ADU's on their property. Current State law stipulates that local agencies may not require more than one off-street parking space for an ADU, and in certain cases, no off-street parking may be required at all. For example, no on-site parking may be required for an ADU when the property is located within one-half mile of a public transit stop; if the property is designated historic or in a historic district; or when the unit is a Junior ADU. Additionally, State law allows ADU parking to be located in any configuration on the same lot as the ADU, including covered spaces, uncovered spaces, or tandem spaces, and uncovered parking spaces may be located within setback areas on an existing driveway.

ANALYSIS:

Parking Versus Living Space

In a 2018 survey, the National Association of Homebuilders found that for all new homes in the United States, the average size of a master bedroom is 312 square feet and the average size of a master bathroom is 164 square feet¹. Based on these averages, a typical bedroom and bathroom addition to an existing single-family home would consist of approximately 476 square feet, far exceeding the 150 square foot allotment provided in the existing Zoning Code. By comparison, a typical two-car garage would need to be approximately 400 square feet in order to meet minimum dimensions for parking two cars. This means that in order to build an average sized bedroom/bathroom addition, a homeowner would need to find twice as much space on their property and incur nearly double the construction cost to comply with the parking requirement. In cases where there is an existing one-car garage, the added costs of demolition or retrofitting to expand the structure could result in the new garage costing more than the addition itself, thereby making the enlargement of the residence cost prohibitive.

¹ <https://www.nahbclassic.org/generic.aspx?sectionID=734&genericContentID=266850>

The increased cost and site constraints associated with building new covered parking for two vehicles is a significant barrier for many homeowners looking to renovate and improve their homes to meet modern needs. In turn, this also prevents the City's overall housing stock from being renewed and improved.

Need for Covered Parking

While the intent for requiring covered parking for larger additions is to bring nonconforming structures into compliance with current parking standards, several factors distinguish existing single-family dwellings from new construction. First, the aggregate size of an addition does not necessarily relate directly to the parking demand generated by the addition. Additions could be used for a variety of purposes, including office space, larger kitchens, living rooms, dining rooms, or storage. Additionally, even if an addition creates new bedrooms, these do not necessarily indicate the need for additional parking either, as bedrooms could be occupied by children, young adults, or other residents that do not drive. On the other hand, new construction of a single-family dwelling would still require two covered parking spaces, ensuring that when new units are created, adequate parking is also provided to accommodate the new demand. Another factor to consider is that there is currently no requirement that residents of a single-family dwelling use a garage or carport for parking vehicles. Many residents use garages for additional storage space, workshops, or recreation, and choose instead to park vehicles in the driveway, which is allowed by the Zoning Code. Allowing residents that build additions to their homes to use their driveways for parking would not be a significant difference from what is currently allowed.

An important exception to these factors is parking availability in the hillside areas of the City. Neighborhoods in the Hillside Development (HD) Overlay Zone contain lots with constrained proportions and slopes, limiting off-street parking space. On the other hand, the width and topography of hillside streets makes street parking difficult, and as a result, many areas prohibit street parking altogether. To address this issue, the Zoning Code requires a minimum of four guest parking spaces on any site fronting a street where parking is prohibited on both sides of that street, and a minimum of two guest parking spaces where on-street parking is allowed. These factors make it difficult to justify waiving parking standards for additions in the hillsides, given the limited availability of both on-street and off-street parking. Allowing greater flexibility to build larger additions would also be in conflict with the overall desire to maintain appropriate scale, massing, and access to residential structures located in hillside areas, a key policy identified in the General Plan. For these reasons, Staff recommends continuing to impose the 150 square foot addition threshold on properties in the HD Overlay Zones, and require two-car carports or garages for additions that exceed that threshold.

Consistency with ADU Regulations

One of the key drivers of this Zoning Code Amendment is the discrepancy created by State law, which exempts ADU's from the requirement to build covered parking altogether, and allows the use of driveways to satisfy off-street parking requirements. With these regulations in place, a homeowner would be able to build an ADU of up to 1,200 square feet without any enclosed parking, but if they instead chose to build a 200 square foot addition for a home office, they would need to also need to provide two-covered parking spaces at significant additional cost. While State law was established with the goal of incentivizing the construction of new housing units, it also creates an inequity for homeowners seeking to build additions that often do not generate any additional parking demand.

ENVIRONMENTAL DETERMINATION

The Zoning Code Amendments have been assessed in accordance with the criteria contained in the CEQA Guidelines, and qualify for Categorical Exemption pursuant to Section 15305 (Class 5 – Minor Alterations in Land Use Limitations), and there are no features that distinguish this project from others in the exempt class; therefore there are no unusual circumstances. Section 15305 exempts projects that consist of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density. The properties affected by these Zoning Code Amendments have an average slope of less than 20%. Furthermore, the Zoning Code Amendments would result in changes to parking requirements for additions to existing single-family residential structures, and would not result in any changes to regulation of land uses or density standards in the Zoning Code. Therefore, staff recommends that the Planning Commission find that the proposed Zoning Code Amendment is exempt from further review under the provisions of CEQA.

CONCLUSION:

Staff recommends amending the Zoning Code to allow additions to single-family dwellings exceeding 150 square feet without the need to provide two-covered parking spaces, with the exception of any properties located in the HD Overlay Zones. This amendment would remove significant cost barriers for homeowners looking to modernize and improve their properties and make parking regulations consistent with those mandated by State law for ADU's.

Respectfully Submitted,




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Attachments:

Attachment A: Findings for Zoning Code Amendments

ATTACHMENT A

FINDINGS FOR ZONING CODE TEXT AMENDMENT

Prior to the approval of a Zoning Code Text Amendment, the following findings must be made:

1. *The proposed amendment is in conformance with the goals, policies and objectives of the General Plan, and other adopted goals and policies of the City.*

The proposed amendment to the Zoning Code is consistent with the goals and policies of the General Plan as follows:

Land Use Element

- Goal 21. Desirable Neighborhoods. A City composed of neighborhoods with a variety of housing types that are desirable places to live, contribute to the quality of life, and are well maintained.
 - Policy 21.5 (Housing Character and Design). Encourage the renovation of existing housing stock in single- and multi-family neighborhoods. When additions or replacement housing is proposed, these should reflect the unique neighborhood character and qualities, including lot sizes; building form, scale, massing, and relationship to street frontages; architectural design and landscaped setbacks.
 - Policy 21.8 (Housing Maintenance). Encourage the maintenance and improvement of existing residential units through community cleanups and other organized events, to assure high quality and healthy living environment for residents.
 - Policy 21.9 (Hillside Housing). Maintain appropriate scale, massing and access to residential structures located in hillside areas.

Housing Element

- Goal HE-1. Sustainable neighborhoods of quality housing, parks and community services, infrastructure, and other associated services that maintain and enhance neighborhood quality, character, and the health of residents.
 - Policy HE-1.2 (Property Conditions). Maintain the quality of rental and ownership housing by ensuring compliance with City building codes and standards. Facilitate and promote the renovation, improvement, and rehabilitation of housing.

- Goal HE-2. An adequate supply and diversity of quality rental and ownership housing opportunities suited to residents of varying lifestyle needs and income levels.
 - Policy HE-2.1 (Housing Diversity). Facilitate and encourage diversity in types, prices, ownership, and size of single-family homes, apartments, town homes, mixed-uses, transit-oriented developments, and work/live housing, among others.

The proposed amendment makes it easier and less costly to renovate and upgrade existing single-family residences with additional space by removing the requirement to provide two covered parking spaces for additions exceeding 150 square feet. The amendment only applies to additions to existing residences where two covered parking spaces do not already exist, and does not apply to new construction. The amendment also does not apply to projects located in the Hillside areas of the City, due to the unique challenges of parking vehicles in shorter or more sloped driveways, or finding adequate street parking in those areas. Elimination of the covered parking requirement for additions also creates consistency with State laws that restrict covered parking requirements for Accessory Dwelling Units. By leveling the playing field and removing barriers to housing investment, the amendment is consistent with Land Use Policies 21.5, 21.8, and 21.9, as well as Housing Element Policies HE-1.2 and HE 2.1.

2. *The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.*

The proposed amendments are consistent with numerous policies in the Land Use and Housing Elements of the General Plan. The proposed changes to parking requirements for additions to existing homes would incentivize investments into modernizing and maintaining existing housing stock while still requiring adequate parking for additions in hillside areas and new construction throughout the City. Therefore, the proposed amendments would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.