

REVISED LEGISLATIVE DIGEST

(Amended in Board, 6/26/2018)

[Planning Code - Public Parking Lot as a Permitted Use in the Glen Park Neighborhood Commercial Transit District and Adjoining Locations]

Ordinance amending the Planning Code to permit as of right Public Parking Lot uses where the parcel is located in both the Glen Park Neighborhood Commercial Transit and RH-2 (Residential, House Districts, Two-Family) zoning districts, the property has been used as Public Parking Lot for the past ten years without the benefit of a permit, and the adjoining RH-2 parcel is no larger than 40 feet by 110 feet; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

Existing Law

The Planning Code contains use charts that list the types of uses and conditions for each zoning district. For property located in the Glen Park Neighborhood Commercial Transit District (Glen Park NCT), Planning Code Section 756 requires a Conditional Use Authorization for a Public Parking Lot use. For property located in an area zoned Residential, House (RH)-2, Public Parking Lot use is prohibited pursuant to Planning Code Section 209.1.

Amendments to Current Law

This ordinance modifies the use charts for areas zoned Glen Park NCT and the RH to allow property that straddles the Glen Park NCT and RH-2 zoned areas to use that property as a Public Parking Lot as of right, under certain conditions. To satisfy these conditions, the property must be located in both the Glen Park NCT and RH-2 zoning districts, the property must have been used as a Public Parking Lot for the past 10 years without the benefit of a permit, and the adjoining parcel zoned as RH-2 is no greater than 40 feet by 110 feet. This amendment would expire six years from the date the ordinance is adopted and require a notice of special restrictions, subject to the administrative approval of the Planning Department and City Attorney, to be recorded as a condition of approving the Public Parking Lot Use. Upon the expiration of the six year period, the parking lot shall be removed and subject to the current planning code.

Background Information

In and around the Glen Park NCT, a property may straddle both the Glen Park NCT and RH-2 districts. Where this occurs, the use charts for the Glen Park NCT and RH provide different and conflicting controls. For example, in the Glen Park NCT Public Parking Lots require a

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Conditional Use Authorization. In areas zoned RH-2, however, Public Parking Lots are prohibited. This amendment clarifies that where property is located in both the Glen Park NCT and RH-2 districts, and meets other conditions, the property may be used as a Public Parking Lot.