



October 29, 2025

Ms. Angela Calvillo, Clerk
Honorable Mayor Lurie
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: **Transmittal of Planning Department Case Number 2025-008757PCA:**
Permitting Parking in Driveways
Board File No. 250887

Planning Commission Action: Adopted a Recommendation for Approval

Dear Ms. Calvillo and Mayor Lurie,

On October 23, 2025, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance, introduced by Mayor Lurie. The proposed ordinance would amend the Planning Code to permit parking of up to two operable vehicles, not including boats, trailers, recreational vehicles, mobile homes, or buses, in driveways located in required front setbacks, side yards, or rear yards. At the hearing the Planning Commission adopted a recommendation for approval with modifications.

The Commission's proposed modifications were as follows:

1. Specify that parking for up to two vehicles may be allowed on driveways that formerly provided access to enclosed parking.
2. Restrict applicability to driveways that provide, or previously provided, access to a screened parking space.
3. State that parking in the front setback is not considered an addition of parking that would trigger compliance with front setback and landscaping and permeability requirements.

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

Please find attached documents relating to the actions of the Commission. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron D. Starr", with a stylized flourish extending to the right.

Aaron D. Starr
Manager of Legislative Affairs

cc: Kathy Shin, Deputy City Attorney
Adam Thongsavat, Office of Mayor Lurie
John Carroll, Office of the Clerk of the Board

ATTACHMENTS :

Planning Commission Resolution
Planning Department Executive Summary



PLANNING COMMISSION RESOLUTION NO. 21854

HEARING DATE: October 23, 2025

Project Name: Permitting Parking in Driveways
Case Number: 2025-008400PCA [Board File No. 250887]
Initiated by: Mayor Lurie / Introduced September 2, 2025
Staff Contact: Lisa Gluckstein, Legislative Affairs
Lisa.Gluckstein@sfgov.org, 628-652-753475

RESOLUTION ADOPTING A RECOMMENDATION FOR APPROVAL OF A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO PERMIT PARKING OF UP TO TWO OPERABLE VEHICLES, NOT INCLUDING BOATS, TRAILERS, RECREATIONAL VEHICLES, MOBILE HOMES, OR BUSES, IN DRIVEWAYS LOCATED IN REQUIRED FRONT SETBACKS, SIDE YARDS, OR REAR YARDS; 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.

WHEREAS, on September 2, 2025, Mayor Lurie introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 250887, which would amend various existing Planning Code provisions to permit parking of up to two operable vehicles, not including boats, trailers, recreational vehicles, mobile homes, or buses, in driveways located in required front setbacks, side yards, or rear yards; and

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on October 23, 2025; and

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15378 and 15060(c); and

WHEREAS, the Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the Custodian of Records, at 49 South Van Ness Avenue, Suite 1400, San Francisco; and

WHEREAS, the Commission has reviewed the proposed Ordinance; and

WHEREAS, the Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Commission hereby adopts a **recommendation for approval with modifications** of the proposed ordinance. The Commission's proposed recommendations are as follows:

1. Specify that parking for up to two vehicles may be allowed on driveways that formerly provided access to enclosed parking.
2. Restrict applicability to driveways that provide, or previously provided, access to a screened parking space.
3. State that parking in the front setback is not considered an addition of parking that would trigger compliance with front setback and landscaping and permeability requirements.

Findings

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

The Commission finds that the Ordinance aligns with the City's goals of limiting unnecessary burdens on the residents, supporting small-scale housing density, and avoiding the misallocation of City resources to unnecessary enforcement cases. The Ordinance also addresses issues of inconsistent enforcement and impacts to residents by legalizing a widespread practice, particularly benefiting residents in working-class neighborhoods.

The Commission recommends the above three modifications to clarify the applicability of the ordinance and more narrowly tailor its provisions. Specifying that driveways that formerly provided access to enclosed parking may provide parking under this Ordinance will remove a disincentive to the creation of new housing units. Limiting the applicability of the ordinance to existing driveways or those that formerly provided garage access would discourage the creation of new curb cuts that would eliminate on-street parking and create safety and accessibility challenges on the pedestrian right of way. Stating that parking allowed under this Ordinance would not trigger landscaping and permeability requirements will prevent the creation of new, unintended enforcement consequences.

General Plan Compliance

The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

POLICY 25 - Reduce governmental constraints on development in Well-resourced Neighborhoods to enable small and mid-rise multi-family buildings providing improved housing choice and affordability.

Policy 31 - Facilitate small and mid-rise multi-family buildings that private development can deliver to serve middle-income households without deed restriction, including through adding units in lower density areas or by adding Accessory Dwelling Units (ADUs).

By removing disincentives from converting garage or other covered parking space to new housing, this ordinance would incentivize new small-scale multifamily housing, including ADUs.

Planning Code Section 101 Findings

The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed Ordinance would not have a negative effect on housing or neighborhood character.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors

would not be impaired.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.

8. That our parks and open space and their access to sunlight and vistas be protected from development;

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

Planning Code Section 302 Findings.

The Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby ADOPTS A RECOMMENDATION FOR APPROVAL WITH MODIFICATIONS of the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on October 23, 2025.



Jonas P. Ionin
Commission Secretary

Jonas P Ionin

Digitally signed by Jonas P Ionin
Date: 2025.10.24 09:44:04
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AYES: Campbell, McGarry, Williams, Braun, Imperial, Moore, So
NOES: None
ABSENT: None
ADOPTED: October 23, 2025



EXECUTIVE SUMMARY

PLANNING CODE TEXT AMENDMENT

HEARING DATE: October 23, 2025

90-Day Deadline: December 1, 2025

Project Name: Permitting Parking in Driveways
Case Number: 2025-008400PCA [Board File No. 250887]
Initiated by: Mayor Lurie / Introduced September 2, 2025
Staff Contact: Lisa Gluckstein, Legislative Affairs
Lisa.Gluckstein@sfgov.org, 628-652-7475
Environmental Review: Not a Project Under CEQA

RECOMMENDATION: Adopt a Recommendation for Approval with Modifications

Planning Code Amendment

The proposed Ordinance would amend the Planning Code to permit parking of up to two operable vehicles, not including boats, trailers, recreational vehicles, mobile homes, or buses, in driveways located in required front setbacks, side yards, or rear yards.

The Way It Is Now:

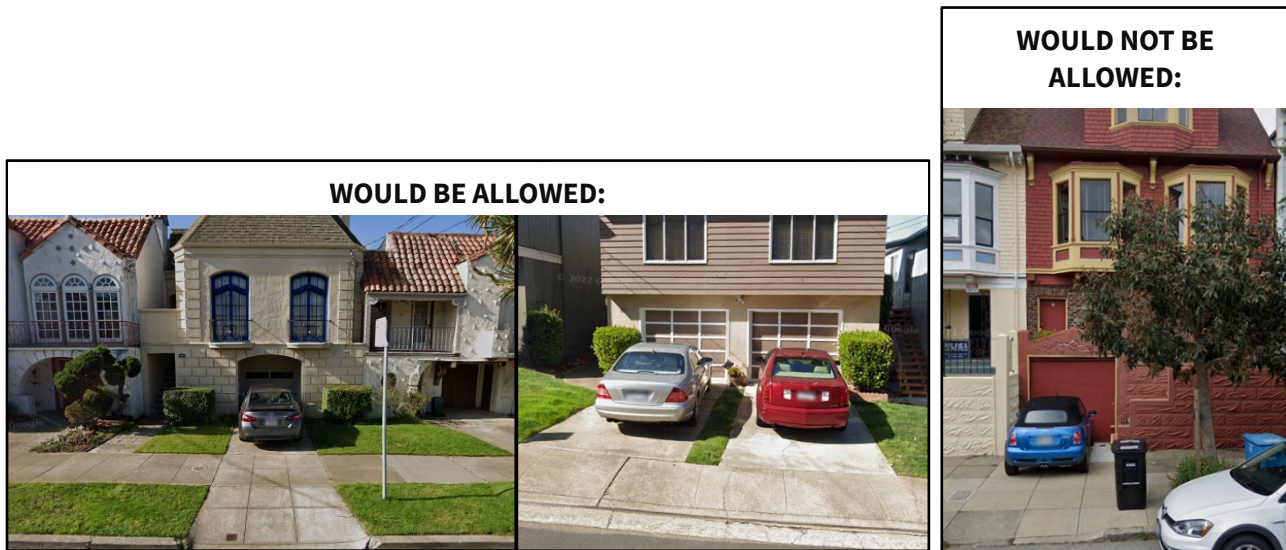
The Planning Code prohibits parking in driveways located in required front setbacks and yards. It requires that all off-street residential parking be screened from view of the public right of way and confined by solid building walls (typically a garage). Additionally, in Neighborhood Commercial (NC), Residential Commercial (RC), Commercial (C), and Mixed Use (MU) districts, off-street parking located at grade must be set back at least 25 feet. In limited circumstances, parking in the front setback in residential zones is permitted as a legal nonconforming use if established prior to 1979.

The Way It Would Be:

Parking of operable vehicles in the front setback of a property would be permitted in driveways located in front setbacks, side yards, or rear yards, subject to the following limitations:

- The parking of any boat, trailer, RV, mobile home, or bus is not allowed;
- No more than two vehicles may park in the driveway; and
- Vehicles may not encroach on the public right of way.

Such driveway parking would also be exempt from screening requirements and would not count towards maximum parking limits.



The proposed ordinance intends to allow up to two operable vehicles to park in their driveway(s) (left and center) but would not allow parking in the public right of way even if within a driveway (right).

Background

Adoption of Parking Limitations in 1979 Downzoning

The original prohibition on parking in driveways in front of homes was passed in 1979 in the same “downzoning” ordinance that also restricted multifamily housing development in residential zoning districts across San Francisco. This ordinance was intended to “protect the character and stability of residential, commercial, and industrial areas within the city, and to promote the orderly and beneficial development of such areas” and to “prevent overcrowding the land and undue congestion of population.” In other words, the ordinance regulated parking in one’s driveway as largely an issue of aesthetics and “order.” This proposal reflects the shift in the City’s policy priorities relating to these aesthetic considerations.

Issues and Considerations

Enforcement Cases

The department has received many complaints relating to parking in the front setback in front of homes in recent years. However, this practice – though currently in violation of the Planning Code – is widespread in residential neighborhoods across the city, particularly in neighborhoods where the prevalent development

pattern creates enough space for cars to fit wholly within a front setback without obstructing the right of way. If Planning receives a public complaint and opens an enforcement case, the property owner is asked to remove the parking use to resolve the violation. However, in such cases, neighboring property owners may be parking in the same manner without triggering a public complaint. This results in inconsistency in whom is subject to parking enforcement actions.

SFMTA Enforcement of the Public Right of Way

The Planning Department's parking controls regulate the use of privately owned property, and the San Francisco Municipal Transit Agency (SFMTA) and the Police Department regulate vehicular use of the public right of way (i.e., the sidewalk or roadway). State Law prevents vehicles from obstructing any portion of a sidewalk, and these requirements would not change under the proposed Ordinance. In instances where a vehicle is obstructing the right of way, enforcement is carried out by MTA, not the Planning Department. These requirements would not change under the proposed ordinance, and the City will continue to enforce parking that obstructs the public right of way.

State law prevents vehicles from obstructing any portion of a sidewalk, and these requirements would not change under the proposed ordinance.

Parking as a Legal Nonconforming Use

If a front driveway or parking pad has been used as a parking spot since before 1979, when the parking and screening limitations went into effect, then that use is permitted as a legal nonconforming use. For example, the Department received a complaint for 618 28th St (pictured) relating to parking in the front setback and opened an enforcement action. However, the property owner was able to demonstrate that the parking pad in front of their property had been in use since at least the 1950s. Because this use predates the 1979 parking and screening controls, this use is allowed as a legal nonconforming use. Properties that can similarly show a long-standing parking use are legal nonconforming uses irrespective of the proposed Ordinance.



Changing Values around “Neighborhood Character”

The parking and screening requirements as originally enacted in 1979 reflect the outdated values of protecting “character and stability” and limiting density in residential neighborhoods. The City has shifted towards allowing greater housing density in residential neighborhoods (e.g., through the Family Zoning Plan) and, through PermitSF, making common-sense changes to the City’s land use controls to remove unnecessary burdens on residents, project applicants, and property owners. This ordinance aligns with this shift in values, removing parking-related disincentives for property owners to convert garages to additional housing and pulling back Planning restrictions on common-sense parking uses of private property.

Encouraging Garage Conversion to New Dwelling Units

The City contains many former garages that have been converted into Accessory Dwelling Units (ADUs) or additional living space within existing dwelling units. Currently, the Department requires the associated driveways and curb cuts to be removed when a garage is converted into habitable space because current zoning only permits parking in enclosed, screened areas such as garages.

Landscaping and Permeability Requirements

Properties in residential districts are subject to front setback landscaping and permeability requirements, which serve the City's stormwater management and environmental goals. The addition of new parking to a property triggers compliance with these requirements.

General Plan Compliance

The Department finds that the proposed Ordinance is consistent with the General Plan. Housing Element Policy 25 is to "Reduce governmental constraints on development in Well-resourced Neighborhoods to enable small and mid-rise multi-family buildings providing improved housing choice and affordability," and Policy 31 is to "Facilitate small and mid-rise multi-family buildings that private development can deliver to serve middle-income households without deed restriction, including through adding units in lower density areas or by adding Accessory Dwelling Units (ADUs)." By encouraging properties to convert buildable space formerly used for parking into habitable space, the Ordinance enables the addition of new residential units to create more small-scale multifamily buildings in San Francisco.

Racial and Social Equity Analysis

Understanding the potential benefits, burdens and the opportunities to advance racial and social equity that the proposed Ordinance provides is part of the Department's Racial and Social Equity Action Plan. This is also consistent with the Mayor's Citywide Strategic Initiatives for equity and accountability, the Planning and Historic Preservation Commissions' 2020 Equity Resolutions, and with the Office of Racial Equity mandates, which requires all Departments to conduct this analysis.

The Ordinance recognizes that many San Franciscans, particularly those in working-class neighborhoods with less robust transit connectivity, rely on their vehicle to commute and move about the city. By legalizing parking in the front setback, a de facto use that is prevalent across the city, the Ordinance will reduce unnecessary enforcement actions and fines for these residents. The Ordinance would also encourage property owners to convert garage space to dwelling space, in service of the City's missing middle housing goals.

Implementation

The Department has determined that this ordinance will impact our current implementation procedures in the following ways:

Recommendation

The Department recommends that the Commission ***adopt a recommendation for approval with modifications*** of the proposed Ordinance and adopt the attached Draft Resolution to that effect. The Department recommends that the Ordinance be amended to:

1. Specify that parking for up to two vehicles may be allowed on driveways that formerly provided access to enclosed parking.
2. Restrict applicability to driveways that provide, or previously provided, access to a screened parking space.
3. State that parking in the front setback is not considered an addition of parking that would trigger compliance with front setback and landscaping and permeability requirements.

Basis for Recommendation

The Department recommends the Commission adopt a recommendation for approval with modifications of the proposed Ordinance. This recommendation is based on the Ordinance's alignment with the City's goal of limiting unnecessary burdens on the residents, supporting small-scale housing density, and avoiding the misallocation of City resources to unnecessary enforcement cases. The Ordinance also addresses issues of inconsistent enforcement and impacts to residents by legalizing a widespread practice, particularly benefiting residents in working-class neighborhoods.

Recommendation 1: Specify that parking for up to two vehicles may be allowed on driveways that formerly provided access to enclosed parking. To encourage the creation of new housing units, the Department recommends changing this practice to allow parking in driveways that formerly provided access to a garage, carport, or parking screening area that has since been converted to living area. The Department recommends making clarifying amendments to specify that driveways that formerly provided enclosed parking access may provide parking for up to two vehicles.

Recommendation 2: Restrict applicability to driveways that provide, or previously provided, access to a screened parking space. The intent of the proposed Ordinance is to legalize parking in existing driveways. It is not intended to encourage the creation of new curb cuts or new parking pads on residential properties. To ensure that the proposed Ordinance does not encourage the creation of new curb cuts leading to newly established parking pads, the Department recommends amending the ordinance to limit its applicability to driveways that provide access to a screened parking space or that have provided such access in the past (e.g., following the creation of an ADU). This would not allow for the creation of new parking pads and curb cuts under this Ordinance. New curb cuts both decrease available on-street parking and creates more vehicular crossings on the pedestrian right of way, each of which runs against the City's goals of avoiding the privatization of the public roadway and protecting pedestrian accessibility and safety.

Recommendation 3: State that parking in the front setback is not considered an addition of parking that would trigger compliance with front setback and landscaping and permeability requirements. To ensure that the legalization of parking in the front setback proposed by this ordinance is not considered the

“addition of parking” that would trigger parcels to immediately come into compliance with these landscaping and permeability requirements, the Department recommends amending the proposed Ordinance to state that parking in the front setback is not considered an addition of parking.

Required Commission Action

The proposed Ordinance is before the Commission so that it may adopt a recommendation of approval, disapproval, or approval with modifications.

Environmental Review

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c)(2) and 15378 because they do not result in a physical change in the environment.

Public Comment

As of the date of this report, the Planning Department has not received any public comment regarding the proposed Ordinance.

ATTACHMENTS:

Exhibit A: Draft Planning Commission Resolution
Exhibit B: Board of Supervisors File No. 250887