

LEGISLATIVE DIGEST
(Substituted 3/31/2015)

[Planning Code - Off-Street Parking Exceptions]

Ordinance amending the Planning Code to permit certain exceptions from off-street parking and loading requirements for lots that front on a curbside transit lane or bikeway, for lots in Residential Mixed Districts, and in order to bring buildings into greater conformity with yard, setback, and other building requirements; to include parking in excess of what is principally permitted and located above ground in the floor-area ratio calculation with an exception for pipeline projects in the Van Ness Special Use District; modifying other floor-area ratio provisions; affirming the Planning Department’s California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Existing Law

Article 1.5 of the Planning Code establishes minimum off-street parking and loading requirements for certain zoning districts. Section 159 sets requirements for off-street parking not on the same lot as the use served. Section 160 sets requirements for the collective provision and joint use of off-street parking. Deed restrictions are required for shared use and parking not provided on the same lot as the use served. Section 161 provides exemptions and exceptions from the Code’s minimum requirements for off-street parking. Exemptions and exceptions include those for particular circumstances. Certain exceptions may be granted by the Zoning Administrator. Parking may still be provided, but it is voluntary and not required.

Planning Code Section 102 defines “Gross Floor Area” and establishes the rules for calculating a building’s gross floor area, including which building and features do and do not count towards the gross floor area, except that parking located underground cannot exceed principally permitted amounts. Section 401 also has a definition of “Gross Floor Area,” as well as a definition for “Gross square feet of use.”

Amendments to Current Law

Planning Code Section 102 is amended to include certain floor space used for accessory off-street parking or loading spaces in the calculation of “Gross Floor Area” with an exception for projects in the Van Ness Special Use District where a complete application has been submitted to the Planning Department prior to January 1 2015 and a site or building permit has been obtained prior to June 20, 2017. Sections 159 and 160 are amended to permit the Zoning Administrator to authorize the removal or modification of deed restrictions where off-site or shared parking arrangements are no longer necessary to fulfill a parking requirement. Section 401 is amended to conform with the revisions to Section 102.

Section 161 is amended to: (1) exempt from the minimum off-street parking requirements properties whose sole street frontage abuts a curbside transit lane or bikepath, (2) permit exceptions to improve an existing building's conformity with front setback, side yard, rear yard, and other building standards of the Planning Code, and (3) authorize the Zoning Administrator to grant exceptions in Residential Mixed (RM) Districts, subject to certain findings and criteria. Section 102.9 is amended so that off-street parking in all districts is included in the calculation of gross floor area calculations.

Background Information

In the past decade, parking requirements have changed considerably. Parking requirements have been eliminated in various Residential, Neighborhood Commercial, and Mixed-Use districts. Space-efficient parking (tandem, lifts, stackers, and valet parking) is now permitted by right. Street-facing parking is restricted, and active street-facing ground floor uses are required in most zoning districts. Rules for the calculation of gross floor area in C-3 Districts have been amended to both facilitate the conversion of above-ground parking to other uses, and to encourage new parking to be space-efficient and located underground.

This ordinance is intended to provide additional flexibility with regard to parking requirements for existing buildings, in order to:

- facilitate the use of space-efficient parking, and conversion of the freed space to other uses;
- permit the conversion of parking to active street-fronting uses;
- minimize parking and loading conflicts with dedicated bus and cycle lanes; and
- reestablish front yards, rear yards, and comply with other neighborhood building standards.