



**DATE:** November 30, 2006  
**TO:** Mayor, Council and Manager  
**FROM:** Elizabeth Shevi, Planner  
**RE:** Zoning Ordinance Update-Parking and Loading Standards

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In recent weeks, there have been a number of public meetings held to review proposed amendments to the City-wide parking and loading standards in the City Code.

At the November 2, 2006 Planning Commission public hearing, the Planning Commission recommended approval of the proposed amended parking and loading standards in the City Code, subject the two changes recommended by staff below.

Recommended Changes by the Planning Commission:

- Shift the parking standards from Chapter 19 to Chapter 21 (note that to allow for Zoning Ordinance reorganization during the Zoning Ordinance Update, sections will move from Chapter 19 to Chapter 21 as updated).
- Modify the single family and two family driveway and off drive parking area sections to improve readability.

At the November 16, 2006 Traffic and Transportation Advisory Commission Review Meeting, the Commission recommended approval of the amended parking and loading standards in the City Code, subject to the recommended changes below.

Recommended Changes by TTAC:

- Limit the number of vehicles that can be parked outside a garage on-site or on-street to three but add ordinance language to allow a waiver to park more than three vehicles provided the landowner can provide proof that the number of licensed drivers residing at the site minus the number of garage stalls on the site exceeds three.
- Modify ordinance language to reduce the lot width required to construct a circular driveway from 120 feet to 100 feet but limit the width of the secondary circular drive.
- Modify ordinance language to allow stone, brick or concrete pavers to be an allowed surface for the driveway approach (that portion of a driveway within the City right-of-way) provided the landowner signs documents agreeing to absorb the full cost of reconstructing the driveway approach in the event the City does work that impacts the pavers in the driveway approach.

- To create improved off-drive parking opportunities, add ordinance language to allow the transition area to off-drive parking area to encroach into the required 20 foot yard beginning at 5 feet from the property line rather than 10 feet from the property line for residential sites with a building setback of less than 36 feet.
- Add ordinance language clarifying that light standards may be placed mid-row in a row of parking spaces without the dimension of the light standard base disqualifying an otherwise conforming parking stall.

There are three key discrepancies between the recommendations of the Planning Commission and TTAC that must be considered.

Issue 1: In addition to the limiting the maximum number of vehicles to three to be parked or stored on the premises outside of the garage or on-street, whether as recommended by the TTAC to also provide a waiver for limitations on the number of vehicles where the property owner provides proof that the number of licensed drivers residing at the site minus the number of garage stalls on the site exceeds three.

TTAC Proposed Code Provision (Section 19.45):

Limitations On Numbers of Vehicles in Single Family Residential Districts (R-1, R-1A, and RS-1).

(A) The number of vehicles that may be parked or stored in Single Family Residential Districts (R-1, R-1A, and RS-1) shall be limited to the following:

- (i) For single family dwellings, a maximum of three vehicles (to include automobiles, motorcycles, or Class II Recreational Vehicles as defined in Section 19.50.03 of this Code) may be parked or stored on the premises outside of a garage or on-street. When two dwelling units are legally present on a single site, a maximum of six vehicles (to include automobiles, motorcycles, or Class II Recreational Vehicles as defined in Section 19.50.03 of this Code) may be parked or stored on the premises outside of a garage or on-street. Parking or storage of vehicles must be on a permitted driveway or parking area surface, as provided in Section 21.301.06 of this Code or Section 19.50.03(d)(3)(A) of this Code for recreational vehicles. However, no more than one vehicle of this total shall be a Type II Vehicle or a Class II Recreational Vehicle other than a Class II "hobby vehicle" RV that is parked or stored within a building; and
- (ii) Type III Vehicles are not permitted, except as provided under Subdivision (c)(6) below.
- (iii) Households with more than three licensed drivers in residence may apply for a temporary waiver to the limitations on numbers of vehicles. To receive a waiver, a landowner must complete an application form and provide copies of the driver's licenses of household residents. If the total number of driver's licenses submitted that reflect the site address minus the total number of garage stalls on site exceeds three, a waiver will be issued for each additional qualifying driver for no longer than a three year period. It is the responsibility of the landowner to renew the waiver after expiration if the household remains eligible and desires an extension.

Staff Response:

Based on input from the Office of the City Attorney and from the Environmental Health Division (see enclosed memoranda), which are both responsible for the enforcement and prosecution of this provision, staff does not recommend a waiver approach. It would add complexity making the provision ineffective due to the difficulty to enforce and prosecute. Staff's recommended approach is for the maximum number of vehicles to remain at three, or alternatively four vehicles, to be parked or stored on single family residential premises outside of the garage or on-street with no waivers. The variance process would always be an option for those cases that can demonstrate a hardship situation.

Issue 2:

Whether, as recommended by the TTAC, to permit pavers in the driveway approach area, subject to conditions requiring the property owner to sign an encroachment agreement with the City agreeing to cover all future costs of reconstructing the driveway approach in the event activities occur such as utility or sidewalk construction

TTAC Proposed Code Provision (Section 21.301.06(i)(8) ):

Driveway and Off-Drive Parking Area Surface. Driveways and off-drive parking and turnaround areas, not to include driveway approaches, must be paved for the entire length and width of the surface with Portland cement concrete, plant bituminous surface (i.e. asphalt), brick, stone, or concrete driveway pavers that are placed with gaps not exceeding one quarter inch, or equivalent material as approved by the Issuing Authority. Gravel is not permitted. Driveway approach areas must be paved with Portland cement concrete; plant mixed bituminous surface (i.e. asphalt); or stone, brick or concrete pavers that are placed with gaps not exceeding one quarter inch. Before constructing a driveway approach with pavers, the property owner must sign an encroachment agreement with the City agreeing that the landowner and all future landowners will cover the full cost of reconstructing the driveway approach in the event that permitted activities (utility construction, street or sidewalk maintenance, etc.) impact the pavers in the driveway approach.

Staff Response:

Based upon input from the Office of the City Attorney and the City Engineer (see enclosed memoranda), staff does not recommend permitting pavers in the driveway approach area within City right-of-way. The provision would add complexity to any on-going maintenance needs in the public right-of-way, and increase the likelihood for disputed claims with the City for compensation irrespective of an encroachment agreement.

Issue 3:

Whether as recommended by the TTAC, to modify proposed ordinance language to reduce the minimum lot width required to construct a circular driveway from 120 feet to 100 feet but limit the width of the secondary circular drive.

TTAC Proposed Code Provision (Sections 17.12(d) and 21.301.06(i)(7)):

Second Curb Cut and Connecting Driveway. A permit for a second curb cut to a single family site must not be issued unless the site has at least 100 feet of frontage along a single public street or is a corner lot and complies with the standards of Section 17 of this Code. For corner lots, when two curb cuts are present, each curb cut must be to a separate street unless the site has at least 100 feet of frontage along a single public street. More than two curb cuts are prohibited for single or two-family residential sites. In the event a second driveway is installed to service a second garage, the second driveway must meet all driveway standards. In the event a second driveway is installed to serve as a circular driveway, the second driveway is limited to 12 feet in width and must meet all other driveway standards.

Staff Response:

Staff recommends a minimum lot width of 120 feet where the secondary drive is limited to a maximum 12 feet in width, and meeting all other driveway standards. This recommendation is based upon staff analysis of lots city-wide with circular drives.

Staff's Proposed Code Provision (Sections 17.12(d) and 21.301.06(i)(7)):

Second Curb Cut and Connecting Driveway. A permit for a second curb cut to a single family site must not be issued unless the site has at least 120 feet of frontage along a single public street or is a corner lot and complies with the standards of Section 17 of this Code. For corner lots, when two curb cuts are present, each curb cut must be to a separate street unless the site has at least 120 feet of frontage along a single public street. More than two curb cuts are prohibited for single or two-family residential sites. In the event a second driveway is installed to service a second garage, the second driveway must meet all driveway standards. In the event a second driveway is installed to serve as a circular driveway, the second driveway is limited to 12 feet in width and must meet all other driveway standards.