

ORDINANCE NO. 2016-1106

AN ORDINANCE OF THE CITY OF BELMONT AMENDING PARKING, AND OTHER REGULATIONS FOR RESIDENTIAL DEVELOPMENT IN THE BELMONT ZONING ORDINANCE (ORDINANCE NO. 360), AND AMENDING THE BELMONT CITY CODE REGARDING OFF-STREET PARKING

THE CITY COUNCIL OF THE CITY OF BELMONT DOES ORDAIN AS FOLLOWS:

SECTION 1. BCC SECTION 7-15 AMENDED

Belmont City Code Chapter 7, Article III, Section 7-15 is amended to read:

Sec. 7-15

- (a) Every set of plans submitted for a building permit shall show parking spaces complying with the requirements of the zoning ordinance in effect at the time such plans are submitted.
- (b) The building official may not issue a certification of occupancy until the required parking spaces have been constructed.

SECTION 2. BCC SECTION 7-16 AMENDED

Belmont City Code Chapter 7, Article III, Section 7-16 is amended to read:

Sec. 7-16. Driveway or vehicle ramp.

- (a) Every parking space shall have access provided by means of a driveway or vehicle ramp complying with the zoning ordinance and city specifications. The portion of any driveway or vehicle ramp on city rights-of-way shall not exceed a grade of one-fourth inch to one foot unless determined otherwise by the city engineer or his designated representative.
- (b) Driveways or vehicle ramps on private property shall conform to the following:
 - (1) The first five feet of right-of-way measured from the back of curb towards the property line including the driveway approach shall be concrete cement. The remainder of the driveway surface may be concrete cement, asphaltic concrete, or other city approved material.
 - (2) Shall have a grade up or down not exceeding 18%, except that the building official may authorize a 20% grade where, in the discretion of the building official, topography makes 18% impracticable.
 - (3) A plan and profile of the driveway shall be submitted to the building department for approval, and inspection is required before paving.

SECTION 3. BZO SECTION 2.16 AMENDED

City of Belmont Ordinance No. 360 ("Belmont Zoning Ordinance") Section 2.16 is amended to read:

- 2.16 BEDROOM - Any fully enclosed room at least seventy square feet or more in area in a residential structure which has heat, ventilation, electricity, a window and a closet may be considered a bedroom. Living rooms, dining rooms, kitchens, dens, bathrooms, or other similar rooms are not considered a bedrooms. Bedrooms do not include rooms that are clearly incidental to the other living spaces of the home, such as laundry rooms, rooms that are left open to adjacent living areas of the home, alcoves and breakfast nooks, and rooms accessed solely through bedrooms of the home, such as walk-in closets.

SECTION 4. BZO SECTION 8.1.4 AMENDED

City of Belmont Ordinance No. 360 ("Belmont Zoning Ordinance") Section 8.1.4 is amended to read:

- 8.1.4 All new buildings and new dwelling units within existing buildings must have the vehicle parking spaces required by Section 8.4.

SECTION 5. BZO SECTION 8.2.2 AMENDED

City of Belmont Ordinance No. 360 ("Belmont Zoning Ordinance") Section 8.2.2 is amended to read:

- 8.2.2 CONTROL OF OFF-STREET PARKING FACILITIES - Required parking facilities may be provided on land other than the site on which the building or use served by such facilities is located, if the site providing the off-site parking facilities is encumbered by a recorded covenant requiring that the parking facilities be provided for the planned building or use for the life of the building or use.

SECTION 6. BZO SECTION 8.2.6 AMENDED

City of Belmont Ordinance No. 360 ("Belmont Zoning Ordinance") Section 8.2.6 is amended to read:

- 8.2.6 LOCATION OF REQUIRED PARKING FACILITIES - The location of off-street parking and garage spaces in relation to the use served shall be as follows. All distances specified shall be walking distances between such parking spaces and a main entrance to the use served.
- (a) For Uses in a Single (R-1) or Duplex Residential (R-2) District the following standards apply.
 - (1) Parking and garage space accessory to dwellings shall be located on the same site as the use served.
 - (2) Uncovered parking spaces may extend into the unused portion of the right-of-way up to the outside edge of street improvements, such as sidewalk, provided they would not obstruct any existing or possible future street improvements that are necessary for public use (i.e., future sidewalk, curb or gutter installation, utility needs, etc.), as determined by the Public Works Director.
 - (3) No parking or paving outside of the required paved driveway and parking

surface area shall be permitted between the front of the dwelling and the front property line.

- (4) A required driveway area for a single or duplex residential dwelling, provided minimum dimensions as required by Section 8.3.1(a) are met, may be used to satisfy the off-street uncovered parking requirement for such use(s).
- (5) A paved walkway to the front building entrance, of no more than 48 inches in width, shall be permitted within the area between the front of the dwelling and the front property line.
- (6) Any variance from these standards/requirements is subject to the procedure and findings of Section 14 (Variances) and findings of Section 8.1.3(c).
- (7) [text unchanged]
- (8) No parking surface shall be permitted in the right of way fronting the property that would obstruct any existing or possible future street improvements that are necessary for public use (i.e. future sidewalk, curb or gutter installation, utility needs, etc.), as determined by the Public Works Director.

(b) [text unchanged]

SECTION 7. BZO SECTION 8.3.1 AMENDED

City of Belmont Ordinance No. 360 (“Belmont Zoning Ordinance”) Section 8.3.1 is amended to read:

8.3.1 SIZES AND TYPES – [text unchanged]

- (a) [text unchanged]
- (b) Accessible Parking Space - Accessible parking spaces must be provided in all parking facilities, other than single family residential, unless specifically exempted by the Building Official/Zoning Administrator, in accordance with the following table:

[chart and remaining text unchanged]
- (c) Backup Distance - Where one or two parking spaces are provided for a single-family residence and the vehicles will back directly onto a street, the minimum on-site driveway length shall be 18 feet totally within private property, except as provided in Section 8.2.6.
- (d) [text unchanged]
- (e) Minimum Single Family Residential Parking Dimensions –The minimum dimensions for garages, carports, and uncovered parking spaces serving a single family residence is provided in Table 8.3.1(e). Garage and carport dimensions are interior, measured from the inside of the post for carports and the interior walls for garages. Parking may be arranged in a side-by-side or tandem configuration.

Table 8.3.1(e) –Parking Dimension Requirements

Number of Vehicles	Orientation	New Garage	Existing Garage New or Existing Carport Uncovered Parking
1	N/A	10' x 20'	8.5' x 18'
2	Side-by-side	20' x 20'	17' x 18'
2	Tandem	10' x 40'	8.5' x 36'

SECTION 8. BZO SECTION 8.4.1 AMENDED

City of Belmont Ordinance No. 360 (“Belmont Zoning Ordinance”) Section 8.4.1 is amended to read:

8.4.1 RESIDENTIAL USES.

- (a) Single Family Dwellings. The following standards apply to single family dwellings.
 - (1) New Homes must have a total of 4 parking spaces, 2 of which must be in a garage.
 - (2) Existing Homes.
 - (A) Existing homes with an addition that expands the bedroom count of the principal unit, or adds a second unit must have the parking spaces specified in Table 8.4.1(a)(2).
 - (B) Existing homes with one or more garage spaces may not reduce the number of garage spaces to fewer than 2.
 - (C) Existing homes without a covered space may use a carport for required covered parking.

Table 8.4.1(a)(2) – Parking Space Requirements for Additions

Home with addition	Required Parking # = total required spaces (#) = required covered spaces
Six Bedrooms or more	4(2)
Five Bedrooms	3(1)
Four Bedrooms	3(1)
Three Bedrooms	2(1)
2 nd unit	+1 up to 4

(b) - (e) [text unchanged]

SECTION 9. FINDINGS

- (a) The amendments to the Belmont Zoning Ordinance adopted herein are required to achieve the objectives of the Zoning Plan and the General Plan for the City.
- (b) The amendments support the protection and promotion of the comfort, convenience, and general welfare of the community, and fulfill the General Community Goals and Policies of the General Plan.

SECTION 10. EFFECTIVE DATE.

This Ordinance takes effect 30 days after its adoption.

SECTION 11. PUBLICATION AND POSTING

The City Clerk has caused to be published a summary of this ordinance, prepared by the City Attorney under Government Code Section 36933, subdivision (c), once, in a newspaper of general circulation printed and published in San Mateo County and circulated in the City of Belmont, at least five days before the date of adoption. A certified copy of the full text of the ordinance was posted in the office of the City Clerk at least five days before this date of adoption. Within 15 days after adoption of this ordinance, the City Clerk shall cause the summary of this ordinance to be published again with the names of those City Council members voting for and against the ordinance; and the City Clerk shall post in the office of the City Clerk a certified copy of the full text of this adopted ordinance with the names of those City Council members voting for and against the ordinance.

* * *

The City Council of the City of Belmont, California introduced the foregoing ordinance, on June 14, 2016 and adopted the ordinance at a regular meeting held on June 28, 2016 by the following vote:

Ayes: Hurt, Stone, Lieberman, Reed

Absent: Kim

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

City Attorney