

ORDINANCE NO. \_\_\_\_\_

ORDINANCE AMENDING SECTION 8.1.4 (PARKING – SCOPE OF REGULATIONS)  
OF BELMONT ZONING ORDINANCE NUMBER 360

**WHEREAS**, on May 1, 2007, the Planning Commission, following notification in the prescribed manner, conducted a public hearing, at which hearing the Commission considered public testimony and a staff report on amendments to Section 2.16 (Definitions - Bedroom), 8.1.4 (Parking - Scope of Regulations), 9.6.3 (Additions and Alterations to Nonconforming Structures), and 23.5.4 (Special Provisions – Residential Districts – Permitted Signage) of the Belmont Zoning Ordinance; and,

**WHEREAS**, on July 10, 2007, the City Council, following notification in the prescribed manner, conducted a public hearing, at which hearing the Council considered public testimony and a staff report on the aforementioned Zoning Code amendments; and,

**WHEREAS**, the City Council did hear and use their independent judgment and considered all said reports, recommendations and testimony herein above set forth; and,

**WHEREAS**, the City Council hereby adopts the staff report (dated July 10, 2007) and the facts contained therein as its own findings of fact; and,

**WHEREAS**, the City Council finds the proposed amendments to be Categorically Exempt pursuant to CEQA Section 15308 – *Actions of Regulatory Agencies for the Protection of the Environment*; and,

**WHEREAS**, the City Council after consideration of all testimony and reports, hereby determines that the proposed amendment to Section 8.1.4 (Parking - Scope of Regulations) of the Belmont Zoning Code achieves the objectives of the Zoning Plan and the General Plan for the City. This amendment would provide for more current and comprehensive development standards for residential addition projects and residentially zoned uses, and support protecting and promoting the comfort, convenience, and general welfare of the community, advancing the goal of providing a precise guide for physical development of the city, and fulfilling the General Community Goals and Policies of the General Plan.

**WHEREAS**, the City Council hereby mandates that the aforementioned Belmont Zoning Ordinance amendment regarding single family residential parking standards shall be effective for any project submitted after July 10, 2007; and,

**WHEREAS**, the City Council hereby directs staff to prepare a one-year status report (July 2008) documenting the performance and effectiveness of the aforementioned Belmont Zoning Ordinance amendment.

**SECTION 1: NOW, THEREFORE BE IT ORDAINED** by the City Council of the City of Belmont that Section 8.1.4 (Parking - Scope of Regulations) of the Belmont Zoning Code be hereby amended to read as follows:

8.1.4 At the time of erection or enlargement of any building containing one or more dwelling units, or of the addition of one or more dwelling units to or within an existing building, unless otherwise prohibited in this Ordinance, there shall be provided and maintained not less than four vehicle spaces - two (2) automobile garage spaces and two (2) spaces which need not be covered - for each new or added dwelling unit in any one or two family structures, and not less than one (1) automobile garage space plus one (1) additional on-site parking space for each new or added unit in any multi-family structure.

Furthermore, there shall be provided and maintained not less than four vehicle spaces - two (2) automobile garage spaces and two (2) spaces which need not be covered - for each dwelling unit in any one or two family structure when any of the following occurs:

- 600 or more square feet of gross floor area is added to the dwelling
- Any floor area modification proposed to a home that is currently 3,000 square feet or larger, or that results in a dwelling becoming 3,000 square feet or larger
- Any floor area modification proposed to a dwelling that currently has four or more bedrooms, or that results in an increase in the number of bedrooms from three or fewer to four or more
- Two or more bedrooms are being added to such dwelling, regardless of whether any existing bedrooms are eliminated

Notwithstanding this section, all secondary dwelling units shall comply with the parking standards set forth in Sections 8.4.1(f) and 24.3(i) of the Belmont Zoning Code.

**SECTION 2: Severability.**

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Belmont hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more section, subsection, sentence, clause, phrase or portion may be declared invalid or unconstitutional.

**SECTION 3:** Pursuant to Section 36937 of the Government Code of the State of California, this Ordinance shall take effect and be in full force and effect thirty (30) days after its final passage.

**SECTION 4:** The City Clerk shall cause this Ordinance to be published and posted in accordance with the requirements of Section 36933 of the Government Code of the State of California.

**INTRODUCED** this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\* \* \* \* \*

**PASSED AND ADOPTED** as an Ordinance of the City of Belmont at a regular meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

AYES, COUNCILMEMBERS: \_\_\_\_\_

NOES, COUNCILMEMBERS: \_\_\_\_\_

ABSTAIN, COUNCILMEMBERS: \_\_\_\_\_

ABSENT, COUNCILMEMBERS: \_\_\_\_\_

RECUSED, COUNCILMEMBERS: \_\_\_\_\_

\_\_\_\_\_  
MAYOR of the City of Belmont

ATTEST:

\_\_\_\_\_  
CLERK of the City of Belmont