



PARKING EXCEPTION INFO SHEET

Hours: Monday, Tuesday, Thursday 8 am–4 pm and Wednesday 8 am–3 pm

CITY OF SAN LEANDRO
Community Development Department
835 East 14th Street
San Leandro, CA 94577

Email planner@sanleandro.org
Leave a Message (510) 577-3325

General Information

A Parking Exception is a permit issued by the Board of Zoning Adjustments intended to resolve particular difficulties or undue hardships related to providing required parking spaces.

The purpose of the parking exception is to have the BZA review and evaluate the specific hardships in relation to the use of complementary parking, available on-street parking, and other relevant parking conditions in the vicinity.

Application Process

The process takes about 3 to 6 months from date of application submittal. Approval is not guaranteed and you may be required to modify your proposal. The Board of Zoning Adjustments will make a decision at an formal public hearing. All property owners and businesses within 500 feet are notified of the meeting by mail.

WHEN IS A PARKING EXCEPTION REQUIRED?

The Zoning Code regulates the number of off-street parking and loading spaces required, which vary by different use classifications, size of buildings, unit types, and/or zoning districts.

Parking exceptions are intended to resolve practical difficulties or unnecessary physical hardships in providing the required off-street parking spaces. Parking exceptions are not granted to resolve self-imposed problems.

Contact a Planner to find out if your proposed development may warrant a Parking Exception.

[§4.08.108 Off-Street Parking & Loading Spaces Req'd >](#)

[§4.08.116 Reduced Parking for Other Uses >](#)

OTHER REQUIRED PERMITS OR FEES

During the processing of a Parking Exception, the application is routed to other divisions for review, including Building, Fire, Engineering and Transportation, Public Works, and other agencies that may have purview over the project. Based on the information the applicant gives, each Division provides comments to advise on other City permit requirements.

Following BZA approval, most development proposals must submit to the **Building Division** the following:

- Construction drawings for plan check and building permits
- Building permits after receiving the Conditions of Approval.

Other examples of City permits are encroachment and grading permits issued by the Engineering Division. In addition to City approval, some development proposals require approval from county, regional, state, or federal agencies.

PARKING EXCEPTION PERMIT EXPIRATION

A Parking Exception becomes void if it is not exercised **within one year from the date of issuance**, except when a longer or shorter term of validity is specified as a condition.

Obtaining a Building Permit or Encroachment Permit and starting construction, or obtaining a Business License and commencing operation are ways to exercise a Parking Exception approval.

THE APPLICATION MUST MEET ALL OF THE REQUIRED FINDINGS [§4.08.116 >](#) [§5.08.124 >](#)

- Reduced Demand.** The parking demand will be less than the Code requirement.
- No additional Parking Demand.** The probable long-term occupancy of the building or structure, based on its design, will not generate additional parking demand; or
- New Use.** Existing buildings are converted to new uses, leading to finding 1 or 2 above
- Shared Parking.** Shared parking that serves more than one use or site shall be encouraged in Mixed-Use zoning districts.
- Difficulty or Undue Hardship.** The strict application of the Code would cause particular difficulty or undue hardship in connection with the use and enjoyment of said property;
- Reasonable Off-Street Parking Compliance.** The establishment, maintenance and/or conducting of the off-street parking facilities as proposed are as nearly in compliance as are reasonably possible.
- Alternative Parking Measures.** The provision of additional parking measures includes car share features, transit passes for tenants in residential, commercial, or mixed-use developments, and within one-quarter mile proximity to a transit corridor or other transit facility including a bus stop or BART station.
- Affordable/Senior/Mixed Use Housing.** Affordable housing, senior housing facilities, or mixed-use developments with shared parking.

Conditions of Approval may be crafted to modify the application, plans, or materials in order to meet the required findings for approval.

Zoning Code and map available online:

[www.sanleandro.org/zoning >](http://www.sanleandro.org/zoning)

[§#.#.# >](#) Refers to relevant Zoning Code Section.



PARKING EXCEPTION INFO SHEET

PARKING EXCEPTION APPLICATION PROCESS

- 1. Read through this handout.** Contact a Planner if you have any questions on the required application materials or process.
- 2. Consider scheduling a pre-application meeting.** At this meeting, City staff can review your preliminary application materials. Any subsequent meetings incur a **Planning Fee**.
- 3. Submit all required application materials (see right).** The Planner of the Day will take in your application and issue you a receipt. Your application materials will then be assigned to a specific Planner, who will review your application and distribute the plans to other City Staff for comment during the initial 30-day review period.
- 4. Environmental Review.** All applications are reviewed to determine whether the California Environmental Quality Act (CEQA) applies to the proposed development.
- 5. Schedule and Notice of BZA Hearing date.** If your application is deemed complete, the Planner will coordinate with you to set a public hearing date. At least 10 days prior to the hearing, the Planner will: (1) Publish the hearing in a local newspaper; (2) Mail notices to property owners and businesses within 500 feet of the proposed property, and; (3) Post a notice on the proposed property.
- 6. Conditions of Approval.** If staff recommends approval, the staff report includes a list of recommended Conditions of Approval.
- 7. BZA Hearing.** All public comments will be attached in a staff report that is presented at the BZA hearing, along with the Planning Staff's recommendation for approval or disapproval of the proposed parking exception. After closing the public hearing, the BZA may grant approval with conditions if the proposed exception meets all of the required findings for approval. The action is final unless appealed to the City Council within 15 days from the date of the action.
- 8. Recorded Agreement to Conditions.** Following a 15 day appeal period, the conditions will be mailed to the property owner and/or applicant after the appeal period ends. The returned signed and notarized copy must then be recorded with the Alameda County Recorder.

PARKING EXCEPTION SUBMITTAL MATERIALS

Please bring all materials when submitting your Planning application:

APPLICATION MATERIALS CHECKLIST	
<input type="checkbox"/>	1. Complete the Planning Application Form (including all signatures). www.sanleandro.org/planningforms
<input type="checkbox"/>	2. Bring a check/credit card to pay the required Permit Fee(s). www.sanleandro.org/planningfees
<input type="checkbox"/>	3. Project Scope and Summary. Describe the proposed project. <ul style="list-style-type: none"> <input type="checkbox"/> Include total existing square footage (livable area and garage noted separately); total proposed additional square footage; existing and proposed open space square footage; landscaping square footage, lot coverage calculations; floor area ratio (FAR); max. roof height(s); parking calculations; and existing and proposed storage space. <input type="checkbox"/> Include operation plan, business hours, number of staff, trip generation (traffic); and occupancy load (if applicable). <input type="checkbox"/> Address how the proposed parking exception complies with the findings necessary for approval (see Page 1) <input type="checkbox"/> Provide color photographs of the project site. Demonstrate the latest conditions on the site and in the adjacent area.
<input type="checkbox"/>	4. Bring 6 sets of plans and a Digital Copy on a Flash Drive or CD 4 full-size (24"x36") + 2 (11"x17") <ul style="list-style-type: none"> <input type="checkbox"/> Existing and Proposed Site Plan. Show, label, and dimension the property lines, all structures with a roof, the outline of buildings on adjacent lots, landscaping and trees, parking, walls/fences, trash enclosure, signage, and contours (where relevant). <input type="checkbox"/> Existing and Proposed Parking Plan. Show, label, and dimension the sidewalks, curbs, curb restrictions, and all on-and-off-street parking spaces on and adjacent to the proposed lot. <input type="checkbox"/> Existing and Proposed Floor Plans. Show, label, and dimension all rooms and spaces (incl. closets and laundry), walls, doors, window sizes, mechanical equipment, and screening for outdoor storage. <input type="checkbox"/> Existing and Proposed Elevations. Show, label, and dimension all details for window type, trim, eaves, roof materials, exterior materials, fencing, trash enclosures, mechanical equipment, and screening.

APPEALS

The action of the Board of Zoning Adjustments is final unless appealed to the City Council within fifteen (15) calendar days from the date of the action. The appeal and appropriate fee must be filed in writing with the City Clerk. Appeal forms are available online at www.sanleandro.org/planningforms.