

**RESOLUTION NO. 2023-02**

**RESOLUTION OF THE ALBANY PLANNING AND ZONING COMMISSION RECOMMENDING  
ADOPTION OF AMENDMENTS TO THE GENERAL PLAN**

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**WHEREAS**, the California Government Code Section 65300 et. seq. requires every city and county in California to adopt a General Plan for its long-range development, and further, to periodically update that Plan to reflect current conditions and issues; and

**WHEREAS**, the Albany General Plan was adopted by the City Council on April, 18 2016, Resolution No. 2016-24; and

**WHEREAS**, Assembly Bill (AB) 2097 was adopted by the California legislature in 2022, stating that “the imposition of mandatory parking minimums can increase the cost of housing, limit the number of available units, lead to an oversupply of parking spaces, and increased greenhouse gas emissions”; and

**WHEREAS**, the Albany General Plan Environmental Impact Report (EIR), including Findings and a Mitigation Monitoring and Reporting Program was adopted by the City Council on April, 18 2016, Resolution No. 2016-23; and

**WHEREAS**, the General Plan amendments acknowledge policy implementation completed by the City of Albany since the General Plan adoption in 2016 and reflect the provisions of AB 2097; and

**WHEREAS**, the General Plan Amendments are attached as Exhibit A and incorporated herein by reference, and are also on file with the Community Development Department;

**WHEREAS**, the Planning and Zoning Commission held a study session on March 8, 2023 to discuss implications of AB 2097 and potential revisions to parking regulations in the Zoning Ordinance; and

**WHEREAS**, the City published a public hearing notice in three public places and on April 14, 2023 as required for a public hearing before the Planning and Zoning Commission; and

**WHEREAS**, the Planning and Zoning Commission held a public hearing on April 26, 2023 to consider the Specific Plan and related implementing documents;

**NOW THEREFORE, THE ALBANY PLANNING AND ZONING COMMISSION RESOLVES AS FOLLOWS:**

**Section 1.** The Planning & Zoning Commission does hereby make the necessary findings for the General Plan Amendments:

1. ***Reasons for Recommendation.*** A General Plan Amendment is required to amend the General Plan Transportation narrative and certain policies and actions regarding parking to reflect parking implementation completed since Plan adoption and respond to legislative changes pursuant to AB 2097.
2. ***Findings Supporting the Recommendation.*** The General Plan amendments update the Transportation Element narrative on parking to acknowledge the changes in State law pursuant to AB 2097 and Accessory Dwelling Unit (ADU) legislation. Amendments also update the General Plan to acknowledge implementation and completion of parking programs such as voter approval of Measure D, which reduced parking requirements citywide. These changes continue to support the following Transportation Element Goals and Policies:
  - GOAL T-7: PARKING: Balance the need for vehicle parking with the goal of reducing auto dependence and achieving more sustainable development.
  - Policy T-7.4: Shared Parking: Encourage shared parking agreements so that adjacent or nearby uses with different demand characteristics can utilize the same parking spaces.
  - Policy T-7.7: Design of Surface Parking: On larger development sites where off-street surface parking lots are required, parking should be located to the rear or side of the building rather than between the building and the street. Site plans in which surface parking dominates the site or the street frontage are strongly discouraged.
  - Policy T-7.8: Unbundling: Allow unbundled multi-family parking, so that owners or buyers of multi-family units may opt out of having their own parking space and pay a lower rent or sales price in exchange.
3. ***Relationship of the Amendment to Applicable Plan.*** The amendment of the General Plan Transportation Element are necessary to implement the policies of General Plan in light of changes in State law.

**Section 2.** The Planning & Zoning Commission of the City of Albany hereby recommends the following findings and determinations regarding the Project: These General Plan amendments are within the scope of the General Plan EIR. Nothing in these revisions constitute significant changes to the project studied in the EIR and any revisions will not cause any new significant impacts, or substantially more severe impacts than those evaluated in the EIR such that a subsequent or supplemental EIR or negative declaration would be required pursuant to CEQA Guidelines sections 15162 and 15163; and none of the other conditions described in CEQA Guidelines section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the Albany Planning and Zoning Commission recommends adoption of the proposed amendments to the Albany General Plan (Exhibit A) by the City Council.

**PASSED, APPROVED AND ADOPTED** this 26<sup>th</sup> day of April 2023 by the following vote:

AYES-

NOES-

ABSENT-

ABSTENTION-

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Planning & Zoning Commission Chairperson Pilch

ATTEST:

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Jeff Bond, Community Development Director

**EXHIBIT A  
GENERAL PLAN AMENDMENT  
(SEPARATE ATTACHMENT)**

**See Attachment 3**