

RESOLUTION NO. 2023-03

**RESOLUTION OF THE ALBANY PLANNING AND ZONING COMMISSION RECOMMENDING
ADOPTION OF ZONING AMENDMENTS BY THE ALBANY CITY COUNCIL**

WHEREAS, on December 6, 2004, the City Council of the City of Albany adopted Ordinance #04-09 establishing Chapter XX "Planning and Zoning" of the Albany Municipal Code ("Zoning Ordinance"); and

WHEREAS, Chapter XX established parking requirements for land uses; and

WHEREAS, Planning and Zoning Code Section 20.100.070.B authorizes the Planning and Zoning Commission to initiate, by resolution, an amendment to Chapter 20; and

WHEREAS, recitals and findings from Planning & Zoning Commission Resolution No. 2023-03 are incorporated by reference; and

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

WHEREAS, the Zoning Ordinance amendments reflect the provisions of AB 2097 and implement goals and policies of the General Plan and Albany Climate Action and Adaptation Plan with respect to parking; and

WHEREAS, the City published a public hearing notice in three public places 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 Commission does hereby make the necessary findings for the Project as identified in Albany Municipal Code 20.100.070.C: Amendments to amend the Zoning Ordinance:

1. General Plan Consistency. That the proposed amendment is consistent with the General Plan. The zoning amendments eliminate minimum parking requirements which is consistent with General Plan goals and policies which call for the need to balance the need for vehicle parking with the goal of reducing auto dependence and achieving more sustainable development. The zoning amendments continue to encourage shared parking, well-desired parking, and unbundling to use provided parking efficiently and align parking demand and supply.

2. Adverse Effect. That the adoption of the proposed amendments would not adversely affect the public health, safety and general welfare. The zoning amendments would encourage alignment between parking demand and supply, and guide the orderly development of projects in a manner that would not adversely affect public health, safety, and general welfare, as required through conformance of applicable policies and regulations of the Zoning Ordinance and General Plan.

Section 2. The findings and General Plan EIR mitigation measures referenced in Resolution No. 2023-03, adopted on April 26, 2023, are included in the Commission's recommendation.

NOW THEREFORE BE IT RESOLVED, that the Albany Planning and Zoning Commission recommends adoption of amendments to the Zoning Ordinance (Exhibit A).

PASSED, APPROVED AND ADOPTED this 26th day of April 2023 by the following vote:

AYES-

NOES-

ABSENT-

ABSTENTION-

Planning & Zoning Commission Chairperson Pilch

ATTEST:

Jeff Bond, Community Development Director

**EXHIBIT A
ZONING ORDINANCE AMENDMENTS
(SEPARATE ATTACHMENT)**

See Attachment 4