

City of Albany



TO: ALBANY PLANNING & ZONING COMMISSION

FROM: Jean Eisberg, Consulting Planner

SUBJECT: Resolution No. 2023-02 and Resolution 2023-03 Recommending that the City Council Adopt Amendments to the Transportation Element of the General Plan and Amendments to Chapters 20.20 and 20.28 of the Zoning Ordinance to Modify Off-Street Parking Requirements

DATE: April 26, 2023

STAFF RECOMMENDATION

Staff recommends that the Planning & Zoning Commission hold a public hearing to recommend that the City Council codify changes to parking regulations in response to Assembly Bill (AB) 2097:

- Adopt Resolution No. 2023-02 (Attachment #1) recommending that the City Council adopt amendments to the Transportation Element of the General Plan; and
- Adopt Resolution No. 2023-03 (Attachment #2) recommending that the City Council adopt amendments to Chapters 20.20 and 20.28 of the Zoning Ordinance.

SUMMARY

Based on feedback from the Planning & Zoning Commission at its March 8, 2023 meeting and input from community members, City staff and consultants have prepared draft General Plan and Zoning Ordinance amendments for the Commission's review. This draft ordinance proposes to remove minimum parking requirements citywide in response to AB 2097. (Except for the racetrack/Waterfront zoning district, where zoning amendments require voter approval.) It also establishes maximum parking requirements for multifamily, commercial, industrial, and public uses. The draft ordinance also proposes to remove various code sections that allowed reductions or provided exceptions since they are no longer necessary outside the Waterfront zoning district.

BACKGROUND

For background information about AB 2097 and its implications for Albany, please review the staff report and attachments from the March 8, 2023 Planning & Zoning Commission meeting (Attachment #5).

At its March 8, 2023 meeting, the Commission received a staff report describing AB 2097 and provided feedback about options for its implementation. Commission and community member feedback is summarized below.

Planning & Zoning Commission Feedback:

1. Commissioners unanimously supported the second option for implementation: to codify AB 2097 citywide (except for the Waterfront zoning district).
2. Commissioners generally supported the idea of establishing maximum parking requirements, in addition to removing minimum parking requirements, consistent with AB 2097.

Community Feedback:

1. The City received two comments letters and heard from three additional speakers at the study session.
2. Community members generally supported codifying AB 2097 citywide, similar to the Commission's position.

DISCUSSION

This staff report describes both General Plan and Zoning Ordinance amendments to ensure consistency between these two documents.

Zoning Amendments

Zoning Ordinance amendments in Attachment #4 propose to remove minimum parking requirements and set maximum parking requirements for all land uses. These changes are proposed for all zoning districts and locations, regardless of proximity to transit (except for the Waterfront zoning district).

Annotations in the margins of Attachment #4 describe each substantive amendment. Key changes are as follows:

- Purpose Statements (Section 20.28.010): Amendments expand purpose statements to encompass broader transportation goals for multimodal circulation by referring to Albany General Plan, Climate Action and Adaptation Plan, and Active Transportation Plan policies. The revised purpose statements acknowledge that this code section reflects not just vehicle parking, but bicycle parking, loading, and parking design that enables safe convenient access for pedestrians, bicyclists, and transit users.

- Citywide General Regulations & Exceptions (Section 20.28.020): The draft ordinance consolidates parking regulations and exceptions that apply citywide (including in the Waterfront zoning district) into a single subsection. It proposes to remove code language that is no longer relevant if minimum parking requirements are removed from the code, as is proposed here. Regulations include a new use permit process for applicants who wish to exceed the maximum parking standard.
- Parking Space Requirements (Section 20.28.030): The draft ordinance splits parking space requirements into three tables:
 - *Residential parking ratios*: Table 4 identifies citywide standards for various types of residential uses. Amendments remove the minimum parking requirements for all residential uses and establish a maximum parking space requirement, which is generally the current parking minimum. For example, multifamily dwelling units are permitted a maximum of 1 space per unit and shared housing (e.g., co-living) 0.5 spaces/bedroom. Single- and two-family dwellings are proposed to have a maximum of 1 covered space per unit, but no total maximum.
 - *Non-residential parking ratios (Table 5A)*: Parking standards for non-residential uses citywide, except for the Waterfront district. The amendments propose no minimum standard, only maximum standards. Amendments simplify parking standards into a series of “blended rates” for restaurants, other retail, industrial and public uses. Restaurant and retail blended rates currently apply in the Solano and San Pablo Avenue commercial zoning districts, so the only change is to add them to the Commercial Mixed Use (CMX) district.
 - *Non-residential parking ratios – Waterfront district (Table 5B)*: Existing non-residential parking standards in the code today would continue to apply in the Waterfront district. Notably, residential uses are not permitted in the Waterfront zoning district.
- Bicycle Parking (Section 20.28.030): This effort does not propose changes to bicycle parking regulations. The modified bicycle parking standards incorporated in the San Pablo Avenue Specific Plan, including expanding requirements for electric bikes and larger bikes will remain in place. The process of developing to bicycle parking standards applicable to other zoning districts would be expected to involve a focused analysis and different stakeholders, which can be taken up as part of a future policy initiative.
- Waterfront Zoning District General Regulations & Exceptions (Section 20.28.040): While Section 20.28.020 contains general standards that apply citywide, including the Waterfront zoning district, this code section maintains existing standards that are no longer relevant in the rest of the city, but would continue to apply to the Waterfront zoning district. Changes to the Waterfront zoning district require voter approval, so keeping these standards in the ordinance is necessary. Maintaining them in their own subsection simplifies the code.

- Regulation of Specific Land Uses (Section 20.20): This code section includes supplementary standards, including off-street parking regulations, for the following uses: bed and breakfasts, and community care facilities (child care and residential care). The amendments propose to delete and simplify these regulations in order to consolidate all parking regulations for these uses in Section 20.28 (Off-Street Parking).

General Plan Amendments

Amendments to the General Plan in Attachment #3 are proposed to acknowledge changes in State law pursuant to AB 2097 and that parking is no longer required within ½ mile of major transit (i.e., most of the city). Amendments also reflect program implementation completed to date and changes in State law, including:

- General Plan Action T-7A, T-7B, and T-7C completed as part of the Measure D initiative, which was approved by the voters in 2016 following adoption of the General Plan and reduced parking requirements;
- General Plan Action T-7D commercial parking changes that resulted in blended rates on Solano Avenue in 2018 and parking exceptions for changes in use and small tenant spaces; and
- General Plan Action T-7F revisions to acknowledge that Accessory Dwelling Unit (ADU) legislation pursuant to State law superseded the City’s parking standards.

The General Plan, in its entirety, along the associated Environmental Impact Report, is available at <https://www.albanyca.org/departments/planning-zoning/albany-2035-general-plan>.

ANALYSIS

Removing minimum parking requirements is not likely to result in major changes overnight. It takes years for new developments to be planned, designed, approved, financed, and built. In today’s economic climate, many development projects have been delayed. Moreover, as described in the Attachment #5 (Ex 3: Siegman technical memo), in most cities that have removed minimum parking mandates, the majority of new projects continue to include parking.

Eliminating minimum parking requirements can have some potential pitfalls. Most notably, finding on-street parking and spillover parking in neighborhoods. Eventually, removing minimum parking regulations will likely require the City to do more to manage street parking. This can be accomplished by implementing General Plan Policy T-7.2, which calls for considering “timed parking limits, residential parking permits, parking benefit districts, paid public parking, more stringent parking enforcement, and other methods to address parking in locations where demand exceeds supply during all or part of the day.” This strategy is similarly supported by Climate Action and Adaptation Plan Action 1.1.5. Recall that these measures are discussed more fully in Attachment #5 (Ex 3: Siegman technical memo).

Lastly, the City currently collects parking exception fees to cover staff time for processing parking exceptions. These revenues would go away with the removal of parking requirements and the parking exception process. However, the City staff time spent to process these exceptions would also be eliminated, freeing up staff time for other purposes.

Social Equity and Inclusion

Eliminated minimum parking requirements can free up more space for housing and commercial development and reduce the overall costs of housing. If parking is not required or is reduced on the ground-floor, this can allow additional space for retail and reduce costs associated with construction of parking, especially for underground parking or concrete podiums. Parking spaces add about 17% to a unit's rent (nationwide) and 13% to a condo's costs (San Francisco) compared to units without parking.¹ This directly impacts carless households, which are often low-income households.

Parking requirements have had the effect of providing free parking for motorists for most trips, whether to their residences or to local businesses. Until recently, bicyclists, pedestrians, and transit users were not afforded similar benefits. Notably, the City now has requirements for bicycle parking, and the San Pablo Avenue Specific Plan requires free transit passes for residents of new housing projects. These changes aim to improve options for residents who cannot afford to own vehicles or otherwise choose not to.

Sustainability

Removing minimum parking requirements can help enable parking as more of an ordinary commodity that better aligns parking demand and supply. In Albany, which has high rates of multimodal transportation, this can result in more sustainable transportation and development. Because minimum parking mandates increase automobile ownership and use, they also increase air and water pollution. When parking is an optional amenity, people can save on the high cost of buying or renting parking by relying on carsharing, walking, biking and transit. Minimum parking mandates thus work at cross purposes to Albany's goal of supporting alternative modes of travel.

Adopted Plans Goals and Policies

The Albany General Plan and the Albany Climate Action and Adaptation Plan contains numerous goals and policies concerning parking and multimodal transportation. Please see Attachment #5 (Ex 3: Siegman technical memo) for a detailed list of parking-related goals and policies.

¹ Gabbe, C.J., and Gregory Pierce. "The Hidden Cost of Bundled Parking." *Access* (Spring 2017). <https://accessmagazine.org/spring-2017/the-hidden-cost-of-bundled-parking/>. Accessed February 10, 2023. Jia, Wenyu and Martin Wachs. "Parking and Affordable Housing." *Access*, no. 13 (Fall 1998): 22-25. <https://www.accessmagazine.org/wp-content/uploads/sites/7/2016/07/access13-04-parking-and-affordable-housing.pdf>. Accessed February 10, 2023.

A General Plan amendment is proposed, as described in the Discussion section above and specified in Attachment #3, in order to make the General Plan and Zoning Ordinance consistent.

ENVIRONMENTAL REVIEW

These General Plan amendments are within the scope of the General Plan EIR, which contemplated revisions to parking standards over time, including those that resulted in Measure D. Moreover, parking is no longer an impact topic under the California Environmental Quality Act (CEQA).

The General Plan, in its entirety, along with the associated Environmental Impact Report, is available at <https://www.albanyca.org/departments/planning-zoning/albany-2035-general-plan>.

NEXT STEPS

City staff will gather feedback from the Commission and community members, and present this feedback along with the Commission's recommendation/action to the City Council in May or June 2023.

ATTACHMENTS

1. Resolution No. 2023-02: General Plan Amendments
2. Resolution No. 2023-03: Zoning Ordinance Amendments
3. General Plan Amendments
4. Zoning Ordinance Amendments
5. March 8, 2023 Planning & Zoning Commission Staff Report & Attachments