



**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda Date: November 4, 2013
Reviewed by: Pat O

SUBJECT: Establishment of Working Group of Members of the Traffic and Safety Commission, Planning and Zoning Commission, and Sustainability Committee to Prepare Policy Alternatives for Residential Parking Requirements

REPORT BY: Jeff Bond, Community Development Director
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SUMMARY

The action before the Council is to establish a working group of the Traffic and Safety Commission, Sustainability Committee, and the Planning and Zoning Commission to prepare policy alternatives for residential parking policies in Albany.

STAFF RECOMMENDATION

That Council approve establishment of a working group of members of the Traffic and Safety Commission, Planning and Zoning Commission, and Sustainability Committee to prepare pros and cons, by May 2014, of placing a measure of the ballot to amend voter approved residential parking standards.

BACKGROUND

In 1978, voters in the City approved an initiative called “Measure D” that required that all residential uses in all residential districts provide two spaces per dwelling unit. This measure has been incorporated into Section 20.28.040 of the Planning and Zoning Code. As a result of Measure D, current practice is to require new residential units, regardless of size, number of bedrooms, or type of housing, to provide two off-street parking spaces. In addition, implementation of the measure requires that parking be provided when additions are made to single-family structures that increase the original floor space by more than 25 percent or 240 square feet (whichever is less).

It is commonly accepted that the City’s parking requirements affect the cost and design of housing and the feasibility of developing multi-family housing on smaller parcels. The requirements also make it difficult to modify existing buildings to add new housing units.

There are currently several mechanisms to adjust the standard Measure D requirement:

1. For home additions, the Planning and Zoning Commission may grant exceptions to a second parking space if specific findings are made. The request for exceptions are frequently received, and generally approved, although the Commission has been diligent to seek design changes to projects to try to accommodate the intent of the voter mandate.
2. The Code allows for a reduction in the parking requirement to 1.5 spaces per unit where the Planning and Zoning Commission finds that sufficient on-street parking is available.
3. For a mixed use building, the Code allows a partial shared parking arrangement and a reduction in the non-residential parking requirement
4. Based on state law, the Code includes special provisions for secondary residential units.
5. State “density bonus” law mandates that senior housing projects or projects that include affordable housing are permitted to use parking standards established by the State Government Code.

Since adoption of Measure D, various policy documents have suggested that the parking requirements be reconsidered. For example:

1992 General Plan

“The residential parking issue is further complicated by the voter-mandated requirement that two parking spaces be provided per unit. This effectively limits development potential to one unit on many Albany parcels zoned for greater density as well as for single-family units desiring a secondary dwelling unit. The Plan contains a recommendation that a revised set of residential parking standards be brought before the voters to allow for variation depending on the type or size of dwelling unit.

2010 Climate Action Plan

“Measure TL 3.2: Update planning documents to promote high-quality, mixed-use, pedestrian- and transit-oriented development in the San Pablo/Solano Commercial district – “Specifically, the City will reevaluate the residential and commercial parking requirements (Measure D) for commercial and high density residential uses.”

2013 Draft Housing Element

“As part of the current effort to update the Albany General Plan, initiate preparation of a ballot measure to revise the two spaces per unit residential parking requirement required by Measure D (1978). This revision would recommend more proportional ways to calculate parking requirements (e.g., based upon unit size, number of bedrooms, unit type, and the population served, with special exemptions for senior

housing, proximity to transit, or available land for parking in the immediate neighborhood).”

DISCUSSION

As the first step in developing policy alternatives for residential parking, it is recommended that the Council establish a working group consisting of members of the Traffic and Safety Commission, Planning and Zoning Commission, and the Sustainability Committee to prepare and seek public input on a range of potential policy changes. It is recommended that the meetings of the working group be subject to the requirements of the Brown Act. To facilitate participation, staff would recommend that meeting times and dates be coordinated when practical with the regular meeting schedule of the three entities. Staff also would recommend that the working group provide the City Council an informational report several months into the process.

Discussion of parking policies often leads to secondary discussions of related policies. For example, the discussion could lead to consideration of amending the City’s residential permit parking program or commercial parking requirements. Staff would recommend that the City Council should provide direction on the scope of analysis and policies that the working group should explore. Given the timeframe for discussion, staff would recommend that primary focus of the working group be the question of placing a measure on the ballot.

Ballot Measure Considerations

To amend any component of Measure D, it would require either:

- 1) An Initiative petition circulated by the voters that successfully qualifies for the ballot; or
- 2) The City Council may take action to place a measure on the ballot for the voters to consider amendments to the Ordinance.

In general, ballot measures raised by the City Council require less administration by the City’s Elections Official as compared to the time required to receive and review an Initiative petition. The City Council’s action to place a measure on the ballot, however, is subject to the requirements of the California Environmental Quality Act. Whether parking impacts constitute a potential environmental impact and requires detailed analysis is a fluid area of CEQA practice due to recent case law and evolving legislative reform of CEQA.

The next general municipal election will be held on November 4, 2014. Typically, Council addresses ballot measures during their June or July meetings of the election year. To propose an amendment to Measure D, the ballot measure and the amended ordinance language would be the items for Council to approve for the ballot.

An alternative to placing a measure directly on the ballot would be to incorporate a policy action in the Albany 2035 General Plan update, and use the General Plan environmental

impact report to meet CEQA requirements. As a practical matter, the soonest a measure would be on the ballot would be 2016.

ANALYSIS

There are a wide range of innovate parking policies being considered throughout the United States that should be researched. A potential measure on the ballot could identify specific standards, or alternatively, simply call for the City Council to adopt by ordinance more contemporary parking standards.

SUSTAINABILITY IMPACT

As indicated in the Climate Action Plan, modernization of parking standards would be expected to reduce vehicle ownership, and encourage alternative modes of travel such as biking and transit. Policies to reduce vehicle miles traveled is a key component of reaching the City's goals to reduce greenhouse gas production.

FINANCIAL IMPACT

Creation of the working group is not expected to have a fiscal impact on the General Fund. If the Council were to place a measure on the ballot, there may be costs associated with the potential CEQA review as well as election related costs.