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ORDINANCE NO. 2017-06

**AN ORDINANCE OF THE ALBANY CITY COUNCIL AMENDING SECTION 20.16.020
“RESIDENTIAL USE CLASSIFICATIONS” AND SECTION 20.28 “OFF-STREET
PARKING AND LOADING REGULATIONS” OF THE ALBANY MUNICIPAL CODE**

WHEREAS, Section 20.16.020 “Residential Use Classifications” defines residential use classifications in the Albany Municipal Code; and

WHEREAS, Chapter 20.28 “Off-Street Parking and Loading Regulations” establishes parking standards for the City of Albany and was amended in 2004; and

WHEREAS, Measure N1 was approved by Albany voters on November 8, 2016 and amends the Municipal Code to allow the City Council to set parking standards for new residential construction by ordinance; and

WHEREAS, amending Chapter 20.28 is part of the Strategic Plan adopted by the Albany City Council on March 6, 2017; and

WHEREAS, amending Chapter 20.28 is contained in the Planning & Zoning Commission Work Plan 2017-2019; and

WHEREAS, the Commission has discussed draft changes to the Chapter 20.28 on January 11, 2017, February 8, 2017, April 26, 2017, and July 26, 2017; and

1 **WHEREAS**, the Planning & Zoning Commission adopted Resolution 2017-02 a
2 Resolution of Intention to amend Chapter 20.28 “Off-Street Parking and Loading Regulations”;
3 and
4

5
6 **WHEREAS**, a public hearing notice was published in the West County Times and posted
7 in three public places pursuant to California Government Code Section 65090 on July 14, 2017
8 for the Planning & Zoning Commission public hearing held on July 26, 2017; and
9

10
11 **WHEREAS**, the Planning & Zoning Commission held a public hearing to discuss the
12 proposed amendments on July 26, 2017; and
13

14 **WHEREAS**, the Planning & Zoning Commission held a public hearing and considered
15 all public comments received, the presentation by City staff, the staff report, and all other
16 pertinent documents regarding the proposed request;

17 **WHEREAS**, the Planning & Zoning Commission adopted Resolution 2017-06
18 forwarding a recommendation to the Albany City Council to amend Section 20.16.020
19 “Residential Use Classifications” and Section 20.28 “Off-Street Parking and Loading
20 Regulations” of the Albany Municipal Code; and
21

22 **WHEREAS**, a public hearing notice was published in the West County Times and posted
23 in three public places pursuant to California Government Code Section 65090 on September 8,
24 2017 for the public hearing held on September 18, 2017; and
25

26 **WHEREAS**, the City Council held a public hearing to discuss the proposed amendments
27 on September 18, 2017; and
28

1 **WHEREAS**, the City Council held a public hearing and considered all public comments
2 received, the presentation by City staff, the staff report, and all other pertinent documents
3 regarding the proposed request;
4

5
6 **NOW, THEREFORE, THE ALBANY CITY COUNCIL ORDAINS AS**
7 **FOLLOWS:**

8
9 **SECTION 1: CHAPTER 20.16 OF THE ALBANY MUNICIPAL CODE,**
10 **SECTION 20.16.020 TITLED “RESIDENTIAL USE CLASSIFICATIONS” IS HEREBY**
11 **AMENDED AS FOLLOWS:**

12 **20.16.020 Residential Use Classifications.**

13 **A. Residences.**

14
15 1. **Single-Family Dwelling.** A freestanding structure arranged, designed,
16 and intended to be occupied as one (1) primary structure. A Secondary Residential Unit
17 may also be located in or associated with a Single-Family Dwelling and may be attached
18 or detached.

19
20 2. **Two-Family Dwellings (Duplex).** A structure that is a type of
21 multifamily residential structure that contains two (2) dwelling units.

22 3. **Multi-Family Dwelling.** A structure that contains more than two (2)
23 dwelling units. Types of multi-family dwellings include townhouses, and apartment
24 buildings.

25
26 4. **Live/Work Space.** Units that provide both living and work space for
27 those engaged in professional or technical fields, or in the fine and applied arts, such as
28 painting, sculpting, graphic design, desktop publishing, writing, and related fields.

1
2 5. **Residential Mixed-Use Development-** The use of a lot or building with
3 two or more different land uses including, but not limited to, residential, commercial,
4 retail, or office, in a single structure or a group of physically integrated structures on a
5 contiguous lot.
6

7
8 6. **Shared Housing-** One or more buildings that by their design, arrangement
9 and relationship intentionally bring together several households of various demographics
10 and configurations for housing affordability. The facility may include but not be limited
11 to adaptive or re-use of an existing single-family residence or commercial structure, or
12 new construction. In all variations the housing includes chosen shared daily living areas,
13 private rooms or quarters for each household, and may include optional income
14 generating spaces.

15 7. **Senior Citizen Housing Development-** a housing development which has
16 been designed to meet the physical and social needs of senior citizens and which qualifies
17 as "housing for older persons." as that phrase is used in California Civil Code Sections
18 51.3 and 51.12. and Federal statutes. (See 20.08.020 Definitions (A-Z))

19 8. **Secondary Residential Unit-** A secondary residential unit is residential
20 unit with a separate entrance from the primary structure with complete independent
21 dwelling facilities for one or more persons. Units may be detached, attached, or
22 repurposed within the primary residence (space is converted into an independent dwelling
23 unit). A Secondary Residential Unit shall be the equivalent of an accessory dwelling unit
24 pursuant to CA Government Code Section 65852.2.

25 9. **Affordable Dwelling Unit-** See Section 20.08.020 "Affordable Dwelling Unit,
26 for Rent" or "Affordable Dwelling Unit, for Sale."
27
28

1 **SECTION 2: CHAPTER 20.28 OF THE ALBANY MUNICIPAL CODE TITLED**
2 **“OFF-STREET PARKING AND UNLOADING REGULATIONS” IS HEREBY**
3 **AMENDED AS FOLLOWS:**
4

5 **SECTION 20.28 OFF-STREET PARKING AND LOADING REGULATIONS**
6

7
8 **20.28.010 Purpose.**
9

10 These regulations are intended to:

11
12 A. Ensure that off-street parking facilities for vehicles and bicycles are provided for
13 new land uses and for alterations and enlargements of existing land uses and structures in
14 proportion to the need for such facilities created by each use.

15
16 B. Ensure that the existing inventory of parking spaces serving commercial districts
17 is not diminished by new uses and construction.

18
19 C. Acknowledge the constraints posed by the existing state of development and the
20 lack of available land area that characterize the City, and provide for equitable application of the
21 parking space requirements.

22
23 D. Ensure that off-street parking facilities are designed in a manner that will ensure
24 efficiency, protect the public safety and minimize adverse impacts upon surrounding land uses.

(Ord. No. 04-09)

25 **20.28.020 General Regulations.**
26

27 A. **Residential Uses.**
28

1 1. **Expansion of Dwelling Unit.** When an existing dwelling unit is expanded
2 without creating an additional dwelling unit, the requirement of subsection 20.28.030.A
3 shall be met unless it is waived or reduced pursuant to subsection 20.28.040.A., 1. or 2.
4

5 2. **Addition of Dwelling Unit.** When any dwelling unit is added to a
6 residential site, the new dwelling unit shall meet the requirement of subsection
7 20.28.030.A. The number of existing off-street parking spaces which serve to meet the
8 requirements for existing dwelling units on a site shall not be reduced when any new
9 dwelling unit is added to the site, except as provided in subsections 20.28.040.A., 3. and
10
11 4.
12

13 B. **Nonresidential Uses.** When any structure is constructed, enlarged, or increased
14 in capacity, or when a change in use occurs, the requirements of this subsection shall be satisfied,
15 except as specifically provided in subsection 20.28.040.B. For purposes of this subsection a
16 change of use shall mean replacement of one activity with another activity that the City
17 determines to be in a different category of parking space requirements, (e.g., a change in
18 requirement from one (1) space per three hundred (300) square feet to one (1) space per two
19 hundred (200) square feet.)

20 C. **Unlisted Uses.** Requirements for types of buildings or uses not specifically listed
21 herein shall be determined by the Planning and Zoning Commission based upon the requirements
22 for comparable uses listed and on the particular characteristics of the building or use.

23 D. **Multiple Use.** When two (2) or more nonresidential uses are located in the same
24 building and/or in common developments other than shopping centers, or when parking facilities
25 for different buildings or uses are provided collectively, the parking requirements shall be the
26 sum of the separate requirements for each use, except as provided in subsection 20.28.040.B.4
27 below. Special provisions for mixed residential and nonresidential facilities are stated in
28 subsection 20.28.040.C below.

1
2 E. **Access During Business Hours.** Required parking spaces that serve commercial
3 uses and are intended for use by business clientele shall remain open and accessible during
4 business hours.
5

6 F. **Shopping Centers.** Where shared parking facilities are provided for two (2) or
7 more commercial uses in a shopping center, the minimum requirement may be reduced to
8 seventy-five (75%) percent of the sum of the requirements for the various uses computed
9 separately, when the combined requirements total twenty (20) or more spaces. Refer to
10 subsection 20.08.020 for the definition of shopping center.
11

12 G. **Dedication to Parking.** All off-street parking spaces, carports, parking lots,
13 parking garages and access drives required by this Chapter shall be dedicated to the parking of
14 motor vehicles and kept available for parking for the duration of the use requiring the
15 parking. In the event that a change of use or other change of circumstances causes the existing
16 parking spaces on a nonresidential site to be in excess of the minimum requirement for the use of
17 the site, the Community Development Director may consider approval of an arrangement by
18 which the excess spaces may meet requirements for other uses, through a minor use permit
19 process.
20

21 H. **Use of Required Yards.** No portion of any required front yard shall be used to
22 meet off-street parking requirements, except as provided below in subsection 20.28.040.A.5.

23 I. **Limitation on Paved Area of Front Yards.** Any paved area between the front
24 property line and the front of a building shall be limited to a walkway for entry access, and a
25 driveway not to exceed sixteen (16) feet in width, that forms a direct route from the street to a
26 garage or other parking space deemed acceptable by the Community Development Director. The
27 Planning and Zoning Commission may grant an exception to this limitation, based on unusual
28

1 conditions of the site, such as topography, size, location or visibility. No parking of vehicles
2 shall occur in any unpaved portion of a front yard.

3
4 **J. Limitation on Repairs.** No repair work or servicing of vehicles shall be
5 conducted in a required off-street parking space, except such minor work performed by the
6 resident as is common to residential use.

7
8
9 **K. Bicycles.** Sufficient bicycle storage space including outdoor bicycle racks and
10 indoor storage where feasible, as determined by the Planning and Zoning Commission, shall be
11 provided by new business establishments, new multi-family developments, residential mixed-use
12 developments, and commercial mixed-use developments in the City of Albany.

13
14 **L. Calculation of Requirements.** Fractional space requirements shall be rounded to
15 the nearest whole number (one-half (1/2) shall be rounded up).

16 **M. Signage.** Signs related to off-street parking shall be pursuant to Section 20.32.

17
18 **N. Alternative Methods of Meeting Parking Requirements for Non-residential**
19 **Uses.** Required off-street parking spaces normally will be provided on the site of the use being
20 served, through the approval process required for such use. Alternatively, the off-street parking
21 requirements as specified by this section for nonresidential uses may be fulfilled by the following
22 means:

23 **1. Off-Site:** Required off-street parking spaces may be provided in a different
24 location from the location of the use being served, provided that parking for customers
25 and visitors is located within seven hundred (700) feet and parking for employees is
26 within one thousand (1,000) feet, with distances measured from the near corner of the
27 parking facility to the main public entrance of the use served via the shortest pedestrian
28 route. Such arrangements may be approved through an administrative zoning permit

1 process, unless a use permit is required for the basic use, in which case consideration of
2 off-site parking shall be made part of the use permit consideration.

3
4 2. **In-Lieu Fee:** The City Council may establish by ordinance a method by
5 which payment of a fee may be accepted by the City in fulfillment of the requirement for
6 one or more parking spaces. Fees thus collected would be used by the City to increase the
7 supply of parking available to support activities in the SC and SPC zoning districts and to
8 enhance parking facilities.
9

10
11 3. **Assessment District:** The City Council may initiate, pursuant to
12 appropriate state statutes, the formation of one or more special districts for the purpose of
13 providing public off-street parking. Participation in such a district by property or
14 business owners could provide a means of fulfilling all or part of the parking
15 requirements for a particular site. Fees paid in lieu of providing parking spaces could be
16 used by the City in conjunction with an assessment district.

17 (Ord. No. 04-09)

18 **O. Car-Share Service.** Where feasible, car share service may be established for public
19 use. A car-share service is a mobility enhancement service that provides an integrated citywide
20 network of neighborhood-based motor vehicles available only to members by reservation on an
21 hourly basis, or in smaller intervals, and at variable rates. Car-share vehicles must be located at
22 unstaffed, self-service locations (other than any incidental garage valet service), and generally be
23 available for pick-up by members 24 hours per day. A car-share service shall assume
24 responsibility for maintaining car-share vehicles.

25 **P. Unbundled Parking.** Unbundled parking may be incorporated as part of a multi-
26 family or residential mixed-use development. Unbundled parking is a parking strategy in which
27 parking spaces are rented or sold separately, rather than automatically included with the rent or
28 purchase price of a residential or commercial unit. Tenant or owners may purchase only as much

1 parking as they need and are given the opportunity to save cost and space by utilizing fewer
2 parking stalls.

3
4 **Q. Electric Vehicles.** The City of Albany encourages electric vehicle use and the
5 establishment of convenient and cost-effective electric vehicle infrastructure where appropriate.
6 Electric vehicle infrastructure shall not conflict with or create hazardous situations in the public
7 right of way.
8

9
10 1. **Electric Vehicle (EV)** is any motor vehicle registered to operate on
11 California public roadways and operates, either partially or exclusively, on electrical
12 energy from the grid or an off-board source that is stored on-board for motive purpose.
13 “Electric vehicle” includes but is not limited to: a battery electric vehicle, a plug-in
14 hybrid electric vehicle, a neighborhood electric vehicle, and an electric motorcycle.

15
16 2. **Electric Vehicle Charging Station (EVCS)** means a public or private
17 parking space that is served by battery charging station equipment that has as its primary
18 purpose the transfer of electric energy (by conductive or inductive means) to a battery or
19 other energy storage device in an electric vehicle. An electric vehicle charging station
20 equipped with Level 1 or Level 2 charging equipment is permitted outright as an
21 accessory use to any principal use.

22 **R. Transportation Demand Management Plan-** The City of Albany encourages
23 Transportation Demand Management Plans as part of existing and new multi-family residential
24 development, residential mixed-use development, affordable dwellings and new commercial and
25 commercial mixed-use developments. Transportation Demand Management (TDM) is an
26 important strategy to increase access to alternative transportation systems, improve mobility, and
27 minimize negative impacts associated with vehicular travel. A TDM plan describes policies,
28 programs, or resources that support and incentivize sustainable travel choices such as walking,
biking, taking transit, or carpooling.

1
2 **20.28.030 Parking Space Requirements.**

3 Off-street parking spaces shall be provided according to the following schedule, unless
4 reductions or exceptions are made according to subsection 20.28.040 below.

5 **A. Residential Uses.**

6
7 **Table 4. 20.28.030 Residential Parking Requirements.**

Land Use	Parking Requirement
Single-Family Dwelling ¹	Two (2) spaces per dwelling unit
Two-Family Dwelling ²	One and a half (1.5) spaces per dwelling unit
Multi-Family Dwelling ³	One (1) space per unit
Live/Work Space	One (1) space per unit
Senior Citizen Housing Development	.5 spaces per unit
Residential Mixed-Use Development ⁴	One (1) space per unit
Affordable Dwelling Unit ⁵	.5 spaces per unit
Shared Housing	.5 spaces per bedroom
Bed and Breakfast	See 20.20.010.C.
Large Family Day Care Home	See 20.20.020.B.2.c.
Residential Care Home (More than 6 residents)	See 20.20.020.C.2.c.
Secondary Residential Unit	One (1) off-street parking space or where proposed within ½ mile of a transit stop parking requirements may be waived (CA Govt. Code 65852.2 (d) (1))
Transitional Housing (Ord. No. 2014-02 § 5)	One (1) space per two employees
Supportive Housing	One (1) space per two employees

1 (Ord. No. 2014-02 § 5)

2 **Notes, Table 4.**

- 3 1. Requirements maybe modified or reduced through Planning & Zoning
4 Commission review subject to Section 20.28.0040 (A) (2) "Additions Where
5 No New Dwelling Units are Created" or 20.28.040 (A) (8) "Parking in
6 Required Yards"
7 2. Requirement may be reduced through Conditional Use Permit review
8 pursuant to Section 20.28.040 (A) (3) "Two-Family Dwellings"
9 3. Requirement may be reduced through Conditional Use Permit review
10 pursuant to Section 20.28.040 (A) (4) "Multi-Family Dwelling"
11 4. Requirement may be reduced through Conditional Use Permit review
12 pursuant to Section 20.28.040 (A) (5) "Residential Mixed-Use Development"
13 5. Requirement may be reduced through Conditional Use Permit review
14 pursuant to Section 20.28.040 (A) (6) "Affordable Dwelling Unit"

12 **B. Nonresidential Uses.**

13 **Key to schedule:**

14 1/100 means one (1) parking space per one hundred (100) square feet of gross floor area,
15 except where specification is made for outdoor area.

16 1/200 means one (1) parking space per two hundred (200) square feet, etc.

17 UP means parking requirement for a particular use will be determined through a use
18 permit procedure.

17 **Table 5. 20.28.030 Nonresidential Parking Requirements.**

18 Land Use	18 Parking Requirement See 20.28.040.B and C. for exceptions.
19 Public and Quasi-Public	
20 Community Assembly	1/100
21 Clubs and Lodges	1/100
22 Cultural Activities/Institutions	1/400
23 Day Care Center (Non-Family)	1 space per 6 individuals under care
24 Emergency Shelter (Ord. No. 2014-02 § 5)	See Section 20.40.070B.4
25 Hospitals and Clinics	Hospital: UP Clinic: 1/300
26 Park and Recreation Facilities	UP
27 Public Administration Offices/Facilities	1/400
28 Public Maintenance Facilities	1/1000, including building and open use areas
Religious Institutions	1/100
Schools, public or private	Elementary/Middle: 1 space per employee High: same plus 1 space per 10 students

1	Social Service Facilities	1/300
2	U.S. Post Office	1/300
3	Buildings or yards supporting utilities: Major, Minor, Underground.	UP
4		
5		
6	Commercial	
7	Adult entertainment establishments	1/400
8	Animal Sales and Services	
9	a) Animal Boarding	1/500
10	b) Animal Grooming	1/400
11	c) Animal Hospitals	1/300
12	d) Animal Sales	1/400
13	Automobile/Vehicle Sales and Services	
14	a) Automobile/vehicle/equipment sales and/or rental (excluding inventory)	Sales: 1/1000 including building and open use areas Rental: 1/400 (in building)
15	b) Automobile service stations (includes fueling stations)	UP

Table 5. 20.28.030 Nonresidential Parking Requirements - Continued	
Land Use	Parking Requirement See 20.28.040.B and C. for exceptions.
Commercial	
c) Automobile/vehicle/equipment repair	1/300
d) Automobile washing	UP
Bars	1/200, or if live entertainment, 1/100
Building materials sales and service	
a) Within an enclosed building <i>plus</i>	1/400
b) Open storage area	1/800
Commercial recreation/entertainment	Theatre: 1 space per 4 seats Other: UP
Commercial recreation/entertainment in the Waterfront District	Theatre: 1 space per 4 seats Other: UP
Communication facilities	1/500
Construction services (contractors)	1/1000, including building and open use areas
Dry cleaner (retail)	1/400
Financial institutions	1/300

1	Funeral and internment services	1/100
2	Gyms and health clubs	1/300
3	Hotels and motels	1 space per bedroom; other uses by UP
4	Laboratory, limited	1/500
5	Laundry, large scale	1/800
6	Laundry, self-service	1/400
7	Offices, professional and other	1/200 medical; 1/400 all other
8	Marinas and boat launching ramps	UP
9	Parking lots, commercial	-
10	Pawn shops	1/400
11	Printing (retail)	1/400
12	Printing (industrial)	1/800
13	Repair Services (non-auto)	1/400
14	Research and Development (commercial)	1/400
	Research and Development (educational)	1/400

Table 5. 20.28.030 Nonresidential Parking Requirements - Continued	
Land Use	Parking Requirement See 20.28.040.B and C. for exceptions.
Commercial	
Restaurant	1/200, General
a) With live entertainment	1/100
b.1.) With take-out (walk-up)	1/100
b.2.) With take-out (drive through)	1/100
Retail, food and beverage sales	1/400
Retail, nurseries and garden supplies	
Within an enclosed bldg: <i>Plus</i>	1/400
Open sales or growing area:	1/800
Retail sales	
a) Neighborhood retail	1/400
b) Community retail	1/400
c) Regional retail	1/400
Services, ambulance	1/500
Services, business	1/800
Services, catering	1/500
Services, instructional	1/300, general

	1/200, business school
Services, massage	1/400
Services, personal	1/400
Telecommunication facilities	1/1000
Waterfront and waterfront sports-related commercial sales and service	1/400
Industrial	
Industry, limited	1/800
Industry, general	1/1000
Truck terminal	UP
Warehousing and storage	
a) Within an enclosed building <i>Plus</i>	1/1000
b) Outdoor use area	1/1000
Wholesaling and distribution	1/1000

(Ord. No. 04-09; Ord. No. 2014-02 § 5)

C. Bicycle Parking

1. **Applicability.** New commercial construction, mixed-use construction, multi-family properties, commercial properties where there is a change of use, and remodeled commercial or mixed-use building shall provide bicycle parking facilities.

2. **General Requirements.**

a. Bicycle parking facilities shall be provided in a convenient and well-lit area. Unprotected bicycle parking should be located in an area of high pedestrian foot traffic so as to discourage theft.

b. Bicycle racks in the Solano Commercial (SC) and San Pablo Commercial (SPC) Zoning Districts may be located within the public right-of-way subject to selection of rack design, review of location, and approval of an

1 encroachment permit. Safe and convenient means of ingress and egress for
2 vehicles shall be provided and an unobstructed sidewalk clearance of four-feet is
3 maintained for pedestrians at all times.
4

5
6 c. Bicycle parking facilities shall be located on or within a concrete or
7 similar surface and designed to support bicycles in a stable position without
8 damage to wheels, frames, or other components.
9

10
11 d. Bicycle racks shall be securely anchored to the surface to prevent easy
12 removal and shall be of sufficient strength to resist vandalism and theft.
13

14 e. New businesses with more than 50 employees shall provide end of trip
15 facilities, including showers, lockers, and bicycle parking facilities.
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1 **3. Bicycle Parking Requirements by Use.**

2

3 **Table 6. 20.28.030 Bicycle Parking Requirements.**

Land Use	Parking Requirement
Residential	
Residential Mixed-Use Development I	1 exterior bicycle rack space per 1,500 sq. ft. of commercial floor area 1 protected bicycle space per residential unit
Multi-Family Dwelling (Apartment and condominium buildings only) I	1 protected bicycle space per unit
Commercial	
Services, personal	1 bicycle rack per 1,500 sq. ft. of floor area
Offices, professional and other	1 bicycle rack per 1,500 sq. ft. of floor area
Restaurant	1 bicycle rack per 1,500 sq. ft. of floor area
Retail sales	
a) Neighborhood retail	1 bicycle rack per 1,500 sq. ft. of floor area
b) Community retail	1 bicycle rack per 1,500 sq. ft. of floor area
c) Regional retail	1 bicycle rack per 1,500 sq. ft. of floor area

4 I For every ten (10) bicycle spaces provided on-site, the Planning & Zoning Commission may waive one required off-street parking space.

6 **4. Bicycle Parking Definitions**

- 7 a. **Bicycle Parking Facility-** a space exclusively for the storage of bicycles.
8 This includes bicycle racks and bicycle storage.

- 1 b. **Bicycle Rack-** a stationary fixture with a base that anchors for surface
2 mounting and must be able to accommodate at least two (2) bicycles upright
3 by rack frame. This includes exterior bicycle parking.
4
- 5 c. **Bicycle Parking Facility Location-** physical space that may be located on
6 public right or private property that is used for the placement and installation
7 of a bicycle parking facility.
8
- 9
- 10 d. **Bicycle Storage (Protected)-**individually enclosed and secure space for a
11 bicycle. This includes bicycle lockers, electronic lockers, and interior bicycle
12 parking.
13
- 14 e. **Public Bicycle Share Program-** a program which offers bicycles available
15 for public use to individuals on a short-term basis. Bicycles and related kiosks
16 are located in public areas and available to any member of the public.
17
- 18 f. **Private Bicycle Share Program-** a program which offers bicycles available
19 for private use as part of a business, residential mixed-use development,
20 commercial mixed-use development, or multiple family dwelling to
21 individuals on a short-term basis. Bicycles and related storage are located in
22 private areas and available to individuals who are part of the business or
23 reside on-site.
24
- 25 g. **Long-term Bicycle Parking.** Long-term bicycle parking shall consist of a
26 locker, electronic locker, or interior bicycle parking facility in a secured area
27 with controlled access where parking may exceed two hours.
28
- h. **Short-term Bicycle Parking.** Short-term bicycle parking shall consist of
a bicycle rack or racks in an easily accessible location that is intended to

1 accommodate visitors, customers, messengers, and others expected to
2 park not more than two hours.

3
4 **20.28.040 Exceptions to Parking Space Requirements.**

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6
7 It is the City's intent that all off-street parking requirements be observed to the maximum
8 extent feasible. The City recognizes that special circumstances may exist which warrant
9 evaluation for special consideration and possible exceptions to the strict application of the
10 requirements. The Planning and Zoning Commission in considering a request for any exception
11 to the parking requirements will weigh the special circumstances against the potential impacts of
12 the exception on the health, safety and welfare of the public.

13
14 **A. Exceptions for Residential Uses.**

15
16 1. **Minor Additions Where No New Dwelling Units Are Created.** No
17 additional parking spaces will be required for the addition of floor space which does not
18 exceed a cumulative increase of twenty-five (25%) percent of the original floor space
19 within all structures on the lot, provided that in no case shall more than two hundred forty
20 (240) square feet be so exempted.

21 2. **Additions Where No New Dwelling Units Are Created.** Where a
22 proposed addition to a dwelling unit increases the original floor space within all
23 structures on a lot, as defined above in Paragraph A.1., by more than two hundred forty
24 (240) square feet and does not create additional dwelling units, the Planning and Zoning
25 Commission may reduce the parking requirements contained in subsection 20.28.030.A
26 upon consideration of the existence of such circumstances as listed in a. through e.,
27 below. In granting any such reduction, the Planning and Zoning Commission shall make
28 specific findings consistent with its consideration of these and other circumstances
relating to the application.

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- a. Required spaces cannot be located in front or side yard areas.
- b. Space is not available to provide the required parking facilities without undue hardship.
- c. Provision of required parking spaces would be disruptive to landmark trees or would severely restrict private outdoor living space on the site.
- d. Creation of new off-street spaces would require the elimination of an equivalent or higher number of on-street parking spaces.
- e. The proposed reduction in parking requirements is appropriate to the total size of the dwelling unit upon completion of the proposed addition.

3. **Two-Family Dwellings-** The Planning and Zoning Commission may by Conditional Use Permit, reduce the parking requirement for the third required off-street parking space subject to a parking survey within a 300 ft. radius of the subject site.

4. **Multi-Family Dwelling-** The Planning and Zoning Commission may by Conditional Use Permit, reduce the off-street parking requirements contained in subsection 20.28.030.A. In reducing on-site parking requirements, the Commission shall consider an on-site car-share service, unbundled parking, private bicycle share program, a Transportation Demand Management Plan (TDM) or a combination thereof.

5. **Residential Mixed-Use Development-** The Planning and Zoning Commission may by Conditional Use Permit, reduce the on-site parking requirements contained in subsection 20.28.030.A. In reducing on-site parking requirements, the Commission shall

1 consider an on-site car-share service, unbundled parking, a private bicycle share program,
2 a Transportation Demand Management Plan (TDM) or a combination thereof.

3
4 **6. Affordable Dwelling Unit-** The Planning and Zoning Commission may
5 by Conditional Use Permit, reduce the on-site parking requirements contained in
6 subsection 20.28.030.A. In reducing on-site parking requirements, the Commission shall
7 consider an on-site car-share service, unbundled parking, a private bicycle share program,
8 a Transportation Demand Management Plan (TDM) or a combination thereof.
9

10
11 **7. Existing Residential Mixed Use and Commercial Mixed-Use**
12 **Developments-** The Planning and Zoning Commission may, by Conditional Use Permit,
13 reduce or waive the parking requirements contained in subsection 20.28.030.A for
14 existing residential mixed-use developments and commercial mixed-use buildings where
15 a residential conversion is proposed.

16
17 **8. Parking in Required Yards.** The City recognizes the existence of residential
18 properties whose historical development did not allow for present day parking
19 requirements. The City encourages off-street parking to be located in the rear yard or side
20 yard. In some cases the Planning and Zoning Commission, after due consideration, may
21 find that permitting required parking in a front yard would be more in the public interest
22 than would a reduction in the off-street parking requirement. The Planning and Zoning
23 Commission may approve front yard parking upon making at least the following findings
24 as appropriate to the yard area in question:

25 Findings:

- 26 a. *Parking within a dwelling, a garage, carport or other structure or in*
27 *the rear or side yard is not feasible or will be disruptive to landmark trees or will*
28 *severely restrict private outdoor living space on the site.*

1
2 b. *The area proposed for parking in the front yard will meet the*
3 *minimum standard of seven (7) feet six (6) inches in width by 16 ft. in length.*
4

5 c. *The parking space is designed so that no part of any vehicle will*
6 *extend beyond the property line into the public right-of-way or will come within*
7 *one (1) foot of the back of the sidewalk, nor permit a parked vehicle to constitute*
8 *a visual obstruction exceeding three (3) feet in height within twenty-five (25) feet*
9 *of the intersection of any two (2) street lines. The Planning and Zoning*
10 *Commission shall not approve a front yard parking space unless a finding is*
11 *made that visual obstructions are not a significant safety hazard.*
12

13 d. *Any required off-street parking spaces which are permitted in front*
14 *yard areas are designed to minimize aesthetic and noise intrusion upon any*
15 *adjacent property.*
16

17 **9. Existing Garages.** The Planning and Zoning Commission may find that
18 an existing garage meets the requirements for an off-street parking space if the interior
19 dimensions of such garage are not less than sixteen (16) feet in length, and eight (8) feet
20 in width, for a single garage, or sixteen (16) feet in width for a double garage, and six (6)
21 feet six (6) inches in height. The Planning and Zoning Commission may allow a local
22 obstruction (such as a chimney, stairs or other feature) to protrude into the required
23 parking space dimension, upon finding that such obstruction does not impede the ability
24 to park vehicles in the garage.

25 **10. Garages in Front Yards of Up-Slope Lots.** Garages which are situated
26 within required front yard areas, and are built into a slope rising above the street at a ratio
27 of one (1) vertical to two (2) horizontal, or greater, may be maintained or rebuilt to
28 accommodate the same number of spaces as exist, so long as the minimum dimensions

1 stated in subsection 20.28.050.A.1. are met. Such garages may not be converted
2 into nonparking use, and shall not be expanded outward or upward for the purpose of
3 creating floor space for nonparking purposes, with the exception of access stairways
4 connecting to the dwelling unit, which the garage serves.
5

6 **B. Exceptions for Nonresidential Uses.**
7

8
9 1. **Existing Buildings and Land Uses.** The following provisions are
10 applicable to existing buildings and land uses only, and shall not apply where
11 construction is proposed for vacant land or any site from which existing structures have
12 been removed or are proposed to be removed.
13

14 a. Properties on which structures have been erected prior to the
15 effective date of this subsection and which are in use on said date shall be deemed
16 to be in compliance with the off-street parking requirements of this section for the
17 existing use.

18 b. Properties that are not in use on the effective date of this subsection,
19 and on which the use has not been abandoned or discontinued for a continuous
20 period specified in subsection 20.44.040, shall be deemed to be in compliance
21 with the off-street parking requirements of this section for the last use of the
22 property prior to the effective date of this Section 20-28.

23 c. Any on-site parking spaces that, as of the effective date of this
24 subsection, serve the uses referenced in a. and b. above shall be required to
25 remain in service in order to preserve the status of compliance.
26

27 d. In the case of any alteration resulting in an increase of floor area, or
28 a change of land use to a category with a greater parking space requirement, any

1 requirement for additional parking spaces will be based solely upon the
2 incremental change of floor area or use.

3
4 2. **Ground Floor Retail Area.** In the case of any new construction,
5 enlargement, increase of capacity or change of use involving ground floor space for retail
6 uses in the SC and SPC districts, the calculation of the off-street parking requirement
7 shall include a reduction of the gross building floor area by up to one thousand five
8 hundred (1,500) square feet of ground floor retail area.

9
10
11 3. **Administrative Exception.** Upon the change of use of a site or existing
12 building or structure not otherwise requiring a conditional use permit, the Planning
13 Director may reduce the parking requirements contained in paragraph c. upon
14 determination that such change of use will not significantly increase the demand for
15 employee or customer parking. In no case may such reduction result in fewer parking
16 spaces than were required for the previous use of the subject site. Such administrative
17 approval shall be communicated to the Planning Commission.

18 4. **Planning and Zoning Commission Adjustment for Shared**
19 **Parking.** Off-street parking facilities for one (1) use shall generally not be considered as
20 providing required off-street parking facilities for any other use. However, off-street
21 parking facilities for one (1) nonresidential use may be considered as providing required
22 off-street parking facilities for other nonresidential uses on the same site or an adjacent
23 site based upon demonstration that the peak of aggregate parking demand for the
24 combined uses is not greater than the number of off-street parking spaces that are
25 available to serve the combined uses. The Community Development Director may require
26 a survey to substantiate such a request. Any adjustment made by the Planning and Zoning
27 Commission shall be limited to a reduction of a maximum of twenty-five (25%) percent
28 of the requirement, and will be considered through a major use permit process. The

1 recordation of a written agreement among the parties participating in the sharing
2 arrangement shall be a condition of the use permit.

3
4 **5. Planning and Zoning Commission Adjustment.** The Commission may,
5 through a major use permit process, adjust the parking requirements contained in
6 subsection 20.28.030.B for any nonresidential use in an existing building. In granting an
7 adjustment the Commission shall make the following findings:
8

9
10 a. *On the basis of a survey of comparable situations, parking demand*
11 *for the proposed use or uses will be less than the required number of spaces.*

12
13 b. *The probable long-term occupancy of the property or structure,*
14 *based on the project design, will not generate substantial additional parking*
15 *demand.*

16
17 c. *Based on a current survey of parking space availability and usage*
18 *within a five hundred (500)-foot walking distance of the boundary of the site of*
19 *the subject building, a reduction of the parking requirement will not have a*
20 *substantial effect on the parking available for neighboring uses.*

21 **C. Exceptions for Non-Residential Uses in a Residential Mixed-Use**
22 **Development.** Where both residential and nonresidential uses are proposed to be
23 combined in a single development project, the Planning and Zoning Commission,
24 through the major use permit process, may adjust the amount of off-street parking
25 required for the nonresidential portions of the project, so long as the requirements of
26 subsection 20.28.030.A. for residential use are met. In granting any such adjustment, the
27 Commission shall make the following findings:
28

1 Findings:

2
3 1. *The aggregate amount of parking provided on site, or otherwise made*
4 *available meets the anticipated demands of all users of the project, considering hours of*
5 *usage and other demand factors.*

6
7
8 2. *A minimum of one (1) parking space is available for the exclusive, full*
9 *time (twenty-four (24) hour) use of occupants of each residential unit.*

10
11 3. *Except as provided in 2. preceding, spaces are not designated for*
12 *exclusive use of any residential or nonresidential owner or tenant.*

13
14 4. *Sufficient legal agreements are or will be in effect to assure continuing*
15 *management of parking facilities as a single entity, with assurances as to accessibility by*
16 *legitimate users of the mixed-use project.*

17 **D. City Council Authorized to Modify Measure D Parking**
18 **Requirements.**

19
20 After following the normal procedures for amending City Zoning Ordinances, including
21 compliance with the California Environmental Quality Act and conducting duly noticed
22 public hearings before the Planning and Zoning Commission and City Council, the City
23 Council may amend the residential parking requirements established by Measure D
24 (enacted by the Albany voters on November 7, 1978). Such amendments may include,
25 but are not limited to, modifications to the number of parking spaces required per
26 dwelling unit for residential uses in residential districts, as well as the provisions of
27 Measure D which allow the Planning Commission to reduce these residential parking
28 requirements by Conditional Use Permit upon making specified findings. This provision

1 is not intended to limit in any way the authority and discretion which the City Council
2 currently possesses to adopt Zoning Ordinance amendments. (Ord. No. 2016-01)

3 **Editor's Note:** Ordinance 2016-01 was adopted by the voters at the General Election of
4 November 8, 2016 and became effective by adoption of a resolution of the City Council
5 December 5, 2016.
6

7 (Ord. No. 04-09; Ord. No. 2014-05 § 8; Ord. No. 2016-01)
8

9 **20.28.050** **Parking Area Standards.**

10
11 **A. Dimensional Standards**

12
13 **1. Single-Family Residential Uses:**

14
15 a. Enclosed Parking. The minimum dimensions for an enclosed single-
16 car garage meeting the parking requirements for a newly constructed single-
17 family dwelling shall be eight (8) feet six (6) inches in width, nineteen (19) feet in
18 length, and seven (7) feet in height. The minimum width dimension of a double-
19 car enclosed parking space shall be sixteen (16) feet. All minimum width
20 dimensions shall be increased by an additional one (1) foot of width adjacent to
21 each wall or other fixed obstruction that abuts the long dimension of the parking
22 space.

23 b. Covered Parking. The minimum dimensions for a single-car covered
24 parking space meeting the parking requirements for a newly-constructed single-
25 family dwelling shall be eight (8) feet six (6) inches in width, eighteen (18) feet in
26 length, and seven (7) feet in height. The minimum width dimension for a double-
27 car covered parking space shall be sixteen (16) feet. All minimum width
28 dimensions shall be increased by an additional one (1) foot of width adjacent to

1 each wall, fence, property line or other fixed obstruction that restricts access
2 abutting the long dimension of the parking space.

3
4 c. Open Parking. The minimum dimensions for an open parking space
5 meeting the parking requirements for a newly constructed single-family dwelling
6 shall be eight (8) feet six (6) inches in width and eighteen (18) feet in length. The
7 minimum width dimension for a double-car open parking space shall be sixteen
8 (16) feet.
9

10
11 d. Open or Covered Parking (Pre-1978). Where warranted by spatial
12 limitations, the Planning and Zoning Commission may permit an open or covered
13 parking space measuring no less than seven (7) feet six (6) inches wide, by
14 sixteen (16) feet long, to meet off-street parking requirements. The Commission
15 may permit a minimum width dimension for a double-car open or covered parking
16 space to be fourteen (14) feet. All minimum width dimensions shall be increased
17 by one (1) foot of width adjacent to each wall, fence, property line or other fixed
18 obstruction that restricts access abutting the long dimension of the parking space.

19 e. The minimum width of a driveway providing access to a required
20 parking space shall be seven (7) feet.
21
22
23
24
25
26
27
28

Table 6. 20.28.050 Residential Parking Dimensions.

<i>Type of Parking</i>	<i>Width</i>	<i>Length</i>	<i>Height</i>
<i>Enclosed Parking:</i>			
Single space	8'6"	19'	7'
Side-by-side spaces	16'	19'	7'
<i>Covered Parking:</i>			
Single space	8'6"	18'	7'
Side-by-side spaces	16'	18'	7'
<i>Open Parking:</i>			
Single space	8'6"	18'	N/A
Side-by-side spaces	16'	18'	N/A
<i>Driveways</i>			
Single	7'	N/A	N/A
Double	15'	N/A	N/A

2. Multifamily and Nonresidential Uses:

a. Standard Space Requirements. The minimum off-street parking dimensions shall be as prescribed below. The Commission may make adjustments to the standards in specific cases, after considering the circumstances of a particular parking plan, land use, or site characteristics.

Table 7. 20.28.050 Dimensions of Standard Parking Spaces.

ANGLE	STALL WIDTH	STALL LENGTH	AISLE WIDTH	
			ONE-WAY	TWO-WAY
Parallel	8'6"*	23'	12'	20'
30°	8'6"	17'6"	11'	20'
45°	8'6"	20'	13'6"	20'
60°	8'6"	22'	18'6"	20'
Perpendicular	8'6"*	20'	25'	25'

*One (1) additional foot shall be provided on each side abutting any wall, fence, property line, or other fixed obstruction that restricts vehicle access.

b. Compact Space Requirements. A maximum of twenty-five (25%) percent of the required parking spaces in parking lots of five (5) or more spaces may be devoted to compact car spaces. All compact car spaces shall be clearly

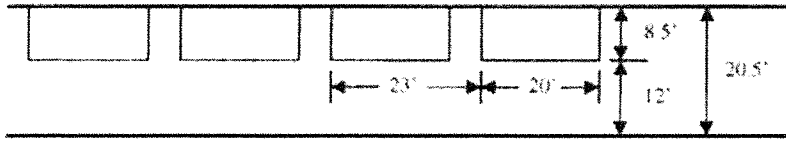
1 marked for "compact cars." Compact spaces shall be designed according to the
2 following schedule:
3

4 **Table 8. 20.28.050 Dimensions of Compact Parking Spaces.**

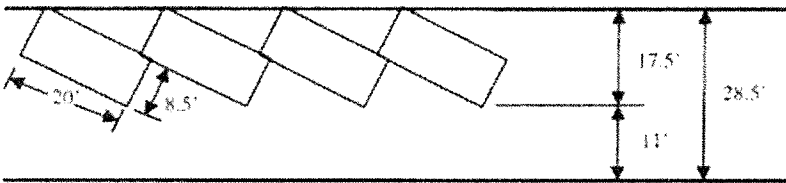
ANGLE	STALL WIDTH	STALL LENGTH
Parallel	7 ft. 6 in.*	20 ft.
45 Degrees	8 ft. 6 in.	16 ft.
60 Degrees	8 ft. 6 in.	17 ft.
Perpendicular	8 ft. 6 in.*	16 ft.

9 *One (1) additional foot shall be provided on each side abutting any wall, fence, property line, or
10 other fixed obstruction that restricts vehicle access.
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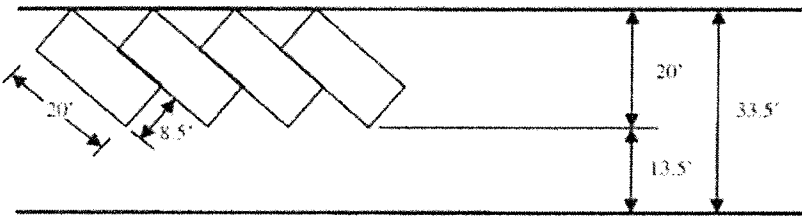
GUIDE TO DIMENSIONAL REQUIREMENTS (Standard Spaces):



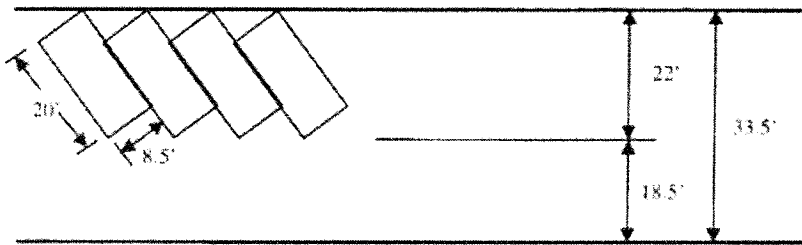
PARALLEL



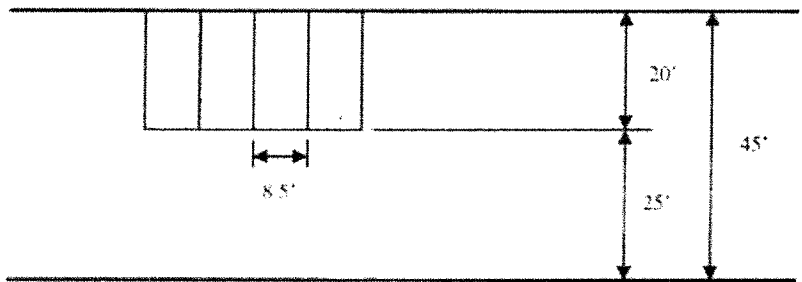
30°



45°



60°



90°

1 **B. Design Standards.** Standards for off-street parking facilities areas shall include:

2
3 1. **Lighting.** Lighting shall be deflected away from residential sites public
4 and private view so as to cause no annoying glare.

5
6 2. **Bumpers.** Bumpers, posts, wheel stops or other acceptable devices shall
7 be provided on all parking spaces located along property lines.

8
9
10 3. **Tandem Parking.**

11
12 a. Except as specified in paragraph b. and c. below, each parking space
13 shall have unobstructed access from a street or from an aisle or drive connecting
14 with a street without requiring moving another vehicle.

15 b. Required parking spaces for any dwelling unit, including a
16 secondary residential unit, may be arranged in tandem. (Ord. No. 2014-05 § 9)

17
18 c. On sites containing only professional offices occupying no more than
19 two thousand five hundred (2,500) square feet of net floor area, with no other uses
20 on the site, the Planning and Zoning Commission may permit tandem parking
21 with the following findings:

22 *Findings:*

23
24 (1) *The size or configuration of the site prevents a conventional*
25 *arrangement of parking spaces.*

26
27 (2) *The nature of the office use indicates a limited demand for*
28 *client or visitor parking.*

1
2 (3) *Spaces without direct access to a street are reserved for*
3 *persons employed on the site.*
4

5 4. **Entrances and Exits.** Entrances from and exits to streets shall be
6 provided at locations approved by the Director of Public Works.
7

8
9 5. **Parking Surface.** In parking lots the parking area, aisles and access drives
10 shall be paved so as to provide a durable, dustless surface and shall be so graded and
11 drained as to dispose of surface water without damage to private or public properties,
12 streets, or alleys, or drainage across sidewalks.

13
14 6. **Screening and Landscaping.** See subsection 20.24.110 F. for
15 requirements for screening and landscaping of parking areas.

16
17 7. **Nonresidential Parking Facilities in Residential Districts.** Where
18 parking facilities serving nonresidential uses are allowed by use permit in residential
19 districts, the following additional standards shall apply:

20 a. **Access.** The parking facility shall be accessed only by way of the
21 contiguous commercial district only. Direct access to a street from property in the
22 residential district shall be limited to emergency vehicles only.

23 b. **Setbacks.** Parking facilities, including surface paving and any
24 structures, shall comply with required setbacks for the residential district, except
25 that the setback from the property line contiguous to the commercial district may
26 be waived.

27 (Ord. No. 04-09; Ord. No. 09-011 §20; Ord. No. 2014-05 § 9)
28

1 **20.28.060 Off-Street Loading.**

2
3 A. Purpose. These regulations are intended to provide off-street loading facilities, to
4 discourage on-street loading and to prevent traffic congestion and a shortage of curb spaces.
5

6 B. General Provisions.
7

8
9 1. When any structure is constructed, enlarged or increased in capacity, or
10 when a change in use creates an increase in the amount of off-street loading space
11 required, the requirements of this subsection shall be followed.
12

13 2. No portion of any required front or side yard shall be used for off-street
14 loading purposes.

15 3. No area may be utilized and counted both as a required parking space and
16 a required loading berth, except with approval of the Community Development Director
17 based on consideration of patterns of usage for parking and loading.
18

19 4. Requirements for uses not specifically listed herein shall be based upon
20 the requirements for comparable uses listed and upon the particular characteristics of the
21 use as determined by the Planning and Zoning Commission.

22 5. No repair work or servicing of vehicles shall be conducted in the loading
23 area.
24

25 6. Signs related to off-street loading shall be pursuant to Section 20.32.

26 (Ord. No. 04-09)
27
28

1 **20.28.070 Loading Space Requirements.**

2
3 Off-street loading facilities shall be provided as follows:
4

5 [Click Here for Table 9](#)
6

7
8 **20.28.080 Loading Area Standards.**

9
10 A. Dimensional Standards. All off-street loading facilities shall comply with the
11 following minimum dimensions, except that these dimensions may be reduced by the Planning
12 and Zoning Commission based on the type of vehicle to be accommodated.
13

14 [Click Here for Table 10](#)

15 B. Design Standards. Standards for off-street loading areas shall include:
16

17 1. Lighting. Lighting shall be deflected away from residential uses so as to
18 cause no annoying glare.
19

20 2. Access Drives. Entrances from and exits to streets shall be provided at
21 locations approved by the Community Development Director.

22 3. Loading Surface. Loading areas and access drives shall be paved so as to
23 provide a durable, dustless surface and shall be so graded and drained as to dispose of
24 surface water without damage to private or public properties or streets.
25

26 4. Turning and Maneuvering. Sufficient room for turning and maneuvering
27 vehicles shall be provided on the site without infringing on off-street parking spaces.
28

1 5. Bumper Rails. These shall be provided where necessary for safety or to
2 protect property, in accordance with standards prescribed by the Community
3 Development Director.
4

5 6. Screening/Landscaping. (See subsection 20.24.110.G. for requirements for
6 screening and landscaping of loading areas.)
7

8 (Ord. No. 04-09)
9

10 **SECTION 3: PUBLICATION AND EFFECTIVE DATE.**

11 This ordinance shall be posted at three public places within the City of Albany and shall
12 become effective thirty days after the date of its posting.
13

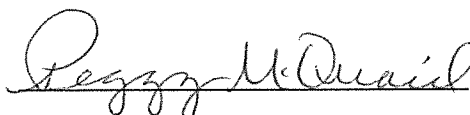
14 **PASSED AND ADOPTED** by the City Council of the City of Albany at its meeting on
15 the 2nd day of October 2017, by the following vote:

16 AYES: *Council Members: Barnes, Maass, Nason, Pilch + Mayor McQuaid*

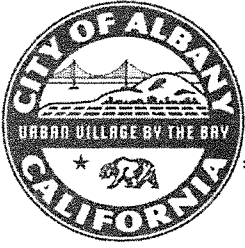
17 NOES:

18 ABSENT:

19 ABSTAIN:

20 

21 PEGGY MCQUAID, MAYOR
22
23
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25
26
27
28



City of Albany

1000 San Pablo Avenue • Albany, California 94706
(510) 528-5710 • www.albanyca.org

ORDINANCE NO. 2017-06

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

the 16th day of October, 2017 by the following votes:

AYES: Council Members Barnes, Maass, Nason, Pilch, Mayor McQuaid

NOES: none

ABSTAINED: none

ABSENT: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this

17th day of October, 2017.

Eileen Harrington

Eileen Harrington
DEPUTY CITY CLERK