

CITY OF ALAMEDA ORDINANCE NO. _____

New Series

AMENDING ALAMEDA MUNICIPAL CODE CHAPTER XXX TO COMPREHENSIVELY UPDATE CITYWIDE OFF-STREET PARKING AND LOADING SPACE REGULATIONS AND MAKE CONFORMING CHANGES TO OTHER ZONING CODE SECTIONS, AS RECOMMENDED BY THE PLANNING BOARD

WHEREAS, in 2018, the City Council adopted the City of Alameda Transportation Choices Plan, which identifies changes to parking requirements as a high priority, near-term project; and

WHEREAS, in 2019, the City Council adopted the City of Alameda Climate Action and Resiliency Plan (CARP), which showed that seventy percent of Alameda's greenhouse gas emissions come from the Transportation sector, and calls for eliminating minimum parking requirements and requiring new developments to provide electric vehicle charging stations; and

WHEREAS, national and regional studies have shown that off-street automobile parking requirements can significantly increase the costs of housing, undermine efforts to increase transit use, walking and biking, and to reduce greenhouse gas emissions that cause climate change; and

WHEREAS, many of the current off-street parking regulations are inconsistent with regional policies and City policies related to transit use, housing supply, air quality, and climate change contained in the Housing Element of the General Plan, the City's Transportation Choices Plan, and the City's CARP; and

WHEREAS, some of the current off-street parking regulations discourage the efficient use of land; and

WHEREAS, the City seeks to update its off-street parking and loading space regulations to make them more consistent with local, state and regional policies and with nationwide best practices; and

WHEREAS, this Ordinance will serve the public necessity, convenience and welfare for the reasons set forth in the accompanying Staff Report, and incorporates such reasons herein by reference; and

WHEREAS, this Ordinance is in conformity with adopted City policies related to transit use, housing supply, air quality, and climate change contained in the Housing Element of the General Plan, the City's Transportation Choices Plan, and the City's CARP; and

WHEREAS, adoption of this Ordinance is in compliance with the California Environmental Quality Act (California Public Resources Code section 21000 *et seq.*); and

WHEREAS, in June 2021, at a regular, duly noticed meeting of the Commission on Persons with Disabilities, the Commission provided direction to staff on accessible parking needs in the context of potentially eliminating minimum off-street parking requirements; and

WHEREAS, the proposed updates were considered at a regular, duly noticed meeting of the Transportation Commission, and the Transportation Commission recommended that the City Council adopt the proposed updates; and

WHEREAS, the Planning Board held duly noticed public hearings on the proposed updates in June 2021 and on September 27, 2021, and unanimously recommended that the City Council adopt amendments to the citywide parking and loading space requirements; and

WHEREAS, this Ordinance was considered at a regular, duly noticed public hearing of the City Council on November 2, 2021, and all interested parties were provided an ample opportunity to participate in said hearing and express their views.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Alameda that:

Section 1. Findings. In enacting this Section, the City Council finds as follows:

1. **The amendments maintain the integrity of the General Plan.** The proposed zoning text amendments are consistent with the City of Alameda General Plan Land Use, Transportation and Housing Elements. The amendments are consistent with Policy HE-5, which is to ensure that parking requirements do not unnecessarily burden the development of affordable housing units. By eliminating minimum off-street vehicle parking requirements, which reduces the cost of new housing construction, and unbundling the cost of parking from the cost of housing, the amendments help increase housing opportunities, including affordable housing. The amendments are also consistent with Land Use Element Guiding Policy 2.4.e, which supports expanding housing opportunities for households in all income groups, and Housing Element Policy HE-1, which is to increase the supply of housing in Alameda consistent with the City's environmental, climate action, transportation, historic preservation and economic development policy objectives.

The proposed amendments establish maximum off-street vehicle parking allowances, which can be exceeded with approval of a use permit, update minimum short- and long-term bicycle parking standards, and establish Transportation Demand Management requirements for developers adding significant vehicle trips onto the public street network. The amendments are consistent with Transportation Element Policy 4.2.2.c, which supports programs that increase the number of people transported without increasing the number of vehicles, and Policy 4.2.3.d, which supports and prioritizes trip reduction strategies that maximize air quality benefits and reduce greenhouse gas emissions by supporting the use of alternative fuel vehicles and encouraging

shift of trips to alternative modes. These policies are reinforced by policies 4.2.4.a, which is to encourage development patterns and land uses that promote the use of alternate modes and reduce the rate of growth in region-wide vehicle miles traveled. The proposed amendments enable more affordable housing to be built more densely, with fewer automobiles, close to good paying jobs, reducing commute distances and making transit and other modes more viable, and reducing greenhouse gas emissions. The amendments are also consistent with Policy 4.3.1.i.1, which calls for establishing maximum parking requirements, and Objective 4.4.7, which requires developers to contribute toward the implementation of appropriate TSM/TDM measures to mitigate the impacts of their projects on the transportation network.

2. **The amendments will support the general welfare of the community.** The proposed zoning text amendments will reduce the environmental impacts of new development on the community such as air pollution, storm water runoff, urban heat island effects and greenhouse gas emissions. The proposed amendments promote healthier modes of transportation, reduce congestion, and improve safety for users of the public street network.
3. **The amendments are equitable.** By unbundling the cost of parking from the cost of housing, the proposed zoning text amendments reduce the cost of providing housing and provide additional housing opportunities for those that cannot afford a private vehicle to pay for a parking space. The proposed amendments reduce pollution which disparately impacts socially vulnerable residents. The proposed amendments support businesses of all sizes by not burdening small businesses which may not have the capital with excessive minimum parking requirements. The proposed amendments requiring Electric Vehicle chargers at commercial properties will make it easier for Alameda's renter population to convert to electric vehicles without costly and challenging infrastructure upgrades to their housing provider's property.
4. **Adoption of the amendments is exempt from the California Environmental Quality Act.** Adoption of the proposed amendments is exempt from the California Environmental Quality Act pursuant to CEQA guidelines sections 15061(b)(3), where it can be seen with certainty that the proposed zoning text amendments will not have a significant effect on the environment, and 15183, projects consistent with a community plan, general plan or zoning, and Section 21099(d) of the Public Resources Code states that parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area are not to be considered significant environmental impacts, each of which provides a separate and independent basis for CEQA clearance and when viewed collectively provide an overall basis for CEQA clearance.

Section 2. Section 30-2 of the Alameda Municipal Code is hereby amended as follows:

30-2 DEFINITIONS.

a. Words used in the present tense include the future, words in the singular number include the plural, and words in the plural number include the singular; the word "building" includes the word "structure", and the word "shall" is mandatory and not directory. City Council shall mean the City Council of the City of Alameda, and Planning Board shall mean the Planning Board of the City of Alameda. City shall mean the incorporated area of the City of Alameda. Zoning Administrator shall mean the Planning Director, or such person as he/she may, with the prior approval of the Planning Board, designate, who shall administer and interpret the provisions of the zoning regulations and perform other duties as prescribed herein. Other terms not specifically mentioned hereabove shall have the meanings ascribed to them by the Charter and this Code.

b. As used in this chapter:

Family day care, small shall mean the care and supervision of a very limited number of children in a provider's own home, on a less-than-twenty-four (24) hour basis and includes only those facilities licensed by the State of California, (but excludes larger facilities that conform to the definition of "Family day care, Large"). Such limits to number of children are as follows, or as prescribed by changes to State code subsequent to May 6, 2004: A "small family day care home"—H&SC 1596.78(c) is limited to six (6) children; but may serve up to eight (8) children, without an additional adult attendant, if all the following conditions are met (H&SC 1596.44): a) at least two (2) of the children are at least six (6) years of age; b) No more than two (2) infants are cared for during any time when more than six (6) children are being cared for; c) The licensee notifies each parent that the facility is caring for two (2) additional school-age children at the time there may be up to seven (7) or eight (8) children in the home at one time; d) The licensee obtains written consent of the property owner when the family day care home is operated on the property that is leased or rented. These limits are inclusive of children under the age of ten (10) years who reside at the home.

Floor Area shall mean the total area of all the floors measured from the exterior faces of the building, including hallways, interior and exterior stairways, storage rooms, etc., and all areas that are greater than 50% enclosed with walls and covered, but excluding any basement or attic area with ceiling heights of less than seven (7') feet.

Funeral home shall mean a facility for human funeral services and the display of the deceased and rituals connected therewith before burial or cremation.

Garage, commercial shall mean a building, other than a private garage used for the parking, repair or servicing of motor vehicles.

Garage, parking shall mean a public garage designed and/or used on a commercial basis for the storage of vehicles only.

Garage, private shall mean an accessory building or portion of a building, designed and/or used only for the shelter or storage of vehicles by the occupants of the dwelling, including covered parking spaces or carports.

General Plan shall ~~be construed to mean the comprehensive, long range, latest revised~~ general plan ~~more particularly described as the "Outline Master Plan," adopted by the City Planning Board of for the City of Alameda April 30, 1956, and any amendments which may be made subsequent thereto.~~

Grade, average shall mean the average level of the highest and lowest portion of the lot covered by a building, deck, portion of a deck, or a patio cover.

Section 3. Subsection 30-4.23 of the Alameda Municipal Code is hereby amended as follows:

30-4.23 – Multi-Family Residential Combining Zone.

g. *Transportation Facilities and Service Requirements.* Off-street parking provided shall comply with Section 30-7.

- ~~1. Transit passes or weekday commute hour shuttle service shall be provided with each unit in the residential development.~~
- ~~2. Secure bicycle parking spaces for at least two (2) bicycles shall be provided for each unit in a secure bicycle cage or comparable facility.~~
- ~~3. Off-street parking shall be provided in accordance with Section 30-7.6, Schedule of Required Minimum and Maximum Off-Street Parking Space.~~

Section 4. Subsection 30-5.18 of the Alameda Municipal Code is hereby amended as follows:

30-5.18 ACCESSORY DWELLING UNITS.

d. *Parking:* Off-street parking provided shall comply with Section 30-7. The parking requirement for an accessory dwelling unit shall be one off-street parking space per unit. This space shall comply with all requirements set forth in Section 30-7 Off-Street Parking and Loading Space Regulations. Notwithstanding Section 30-7, this space may be provided as tandem parking, including on an existing driveway or in a side or rear yard area, unless specific findings are made by the Planning Director that parking in setback areas or tandem parking is not feasible based upon fire and life safety conditions.

~~1. — Exceptions. Notwithstanding the parking requirement in this section, no off-street parking shall be required for an accessory dwelling unit in any of the following instances:~~

~~(a) — The accessory dwelling unit is part of the proposed or existing primary dwelling or an accessory structure.~~

~~(b) — The accessory dwelling unit is located within one-half (½) mile walking distance of public transit.~~

~~(c) — The accessory dwelling unit is located within an architecturally and historically significant historic district.~~

~~(d) — When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.~~

~~(e) — When there is a car-share rental service pick-up/drop-off location within one (1) block of the accessory dwelling unit.~~

~~2. — Replacement Parking: When a garage, carport, or covered parking structure is demolished or converted in conjunction with the construction of an accessory dwelling unit, replacement of the parking space(s) meeting the requirements of Section 30-7, Off-Street Parking and Loading Space Regulations shall not be required.~~

Section 5. Section 30-7 of the Alameda Municipal Code is hereby repealed in its entirety, and replaced with the following:

30-7 OFF-STREET PARKING, ELECTRIC VEHICLE CHARGING, AND TRANSPORTATION DEMAND MANAGEMENT REGULATIONS.

30-7.1 Purpose and Intent.

The off-street parking, electric vehicle charging, and transportation demand management regulations are established in order to:

- a. Implement City of Alameda climate change, transportation, affordable housing, economic development, and historic preservation policy objectives established by the City of Alameda General Plan, Climate Action and Resiliency Plan, and Transportation Choices Plan;
- b. Relieve automobile congestion and provide for the safe, efficient, and equitable use of the public street network by pedestrians, bicyclists, transit, emergency vehicles, and automobiles; and
- c. Reduce the air pollution, storm water runoff, urban heat island effects, and greenhouse gas emissions generated by automobile use.

30-7.2 Applicability.

The provisions of this section (Section 30-7) shall apply to all of the following development activities:

- a. New buildings;
- b. New dwelling units;
- c. Expansions of existing buildings that, in any ten-year period, would cumulatively represent more than twenty-five percent (25%) of the existing gross floor area.

When a development activity does not involve the provision of new off-street parking spaces, only subsections 30-7.6 Off-Street Bicycle Parking Requirements and 30-7.7 Transportation Demand Management Requirements shall apply.

30-7.3 Off-Street Vehicle Parking Regulations.

Off-street vehicle parking shall be provided consistent with the following requirements:

- a. No Minimum. Except for the accessible parking spaces required by Subsection 30-7.4, Off-street Parking for Persons with Disabilities, no off-street vehicle parking is required for any use.
- b. Maximum Parking Spaces. The ratios stated in Table A determine the maximum number of off-street vehicle parking spaces that may be provided for each land use.
- c. Fractions. When the calculation of permitted off-street parking spaces results in a fraction, the fraction shall be rounded up to allow for one off-street parking space.
- d. Sites with Multiple Uses. Where two or more primary uses occupy a single site, the maximum number of parking spaces permitted for each use shall be calculated separately, then summed to determine the total number of spaces permitted for the site. Uses ancillary to a primary use shall utilize the same ratio as the primary use.
- e. Use Permit Required to Exceed Maximum. The maximum number of permitted off-street parking spaces may be exceeded only upon issuance of an administrative use permit pursuant to Section 30-21.4, Administrative Use Permits, if, in addition to the findings of Subsection 30-21.3(b), all of the following findings are made:
 - i. Transportation demand management measures will reduce the need for the additional off-street parking;
 - ii. The additional parking demand cannot reasonably be accommodated through formal arrangements such as shared parking or reciprocal parking agreements that make use of other available off-site parking;
 - iii. There are unique characteristics of the users or the land use activity that result in a high level of automobile parking demand; and
 - iv. The project provides positive environmental, social, or other community benefits that outweigh the adverse effects of additional parking, such as improving public safety, or improving and/or preserving access for

pedestrians, cyclists or users of public transit. In its decision the Zoning Administrator may impose such conditions as are necessary to minimize transportation impacts from the increased parking.

- f. Existing Nonconforming Parking Spaces. If the number of existing off-street vehicle parking spaces on a site is greater than the number that would be allowed by Table A, the existing spaces in excess of the allowed maximums may be maintained, but the maximum parking ratios shall not be further exceeded unless a use permit is granted pursuant to Subsection 30-7.3(e).
- g. Uses Not Specified. Uses not specified in Table A shall utilize the same rates as the most similar uses specified in Table A, as determined by the Planning Director based on demonstrated parking need for comparable uses.
- h. *Table A: Allowable Maximum Off-Street Parking Requirements.*

Land Use	Maximum Number of Spaces	Per
Accessory dwelling unit	1	unit
Dwelling unit	1.5	unit
Dwelling unit in the C-C, Community Commercial and NP-G, North Park Street Gateway Zoning Districts	1	unit
Shared living and similar uses	0.5	unit or room
Hotel, motel	1	guest room
Offices, research and development, life sciences, banks, financial services, institutional uses, community care facilities, hospitals, personal services, health clinics, industrial, distribution and other similar uses	2.5	1,000 square feet (sf) of floor area
Retail uses, grocery stores, commercial recreation	3	1,000 sf
Restaurants, bars, cafes, theaters and similar uses	7	1,000 sf

30-7.4 Off-Street Parking for Persons with Disabilities.

Any new or expanded parking facility shall be provided with the minimum number of spaces required to serve persons with disabilities in accordance with the requirements of the California Building Code (CBC). For the purposes of this subsection, the minimum number of accessible spaces required by the CBC shall be calculated based on the maximum number of spaces set forth in Section 30-7.3, Off-Street Vehicle Parking

Regulations. Projects exceeding the maximum number of spaces permitted in Section 30-7.3 shall meet the CBC minimum requirements.

30-7.5 Off-Street Electric Vehicle (EV) Charging Requirements.

Electric vehicle charging facilities shall be provided and maintained for projects whenever off-street parking is provided, including in existing parking facilities. The number and type of charging facilities provided shall meet the following requirements. Where two or more primary uses occupy a single site, the EV parking required for each use shall be calculated separately, then summed to determine the total number of spaces permitted for the site. Uses ancillary to a primary use shall utilize the same requirement as the primary use.

- a. *Residential Use - With Private, Dedicated Garage.* One parking space provided shall be a Level 2 EV Ready Space.
- b. *Residential Use - Multifamily Shared Parking Facilities.* Twenty-five (25%) percent of parking spaces provided shall be at least a Level 2 EV Ready Space. Twenty-five (25%) percent of spaces provided shall be at least a Level 1 EV Ready Space.
- c. *Nonresidential - Offices, research and development, life sciences, banks, financial services, institutional uses, community care facilities, hospitals, personal services, health clinics, industrial, distribution, hotels/motels and other similar uses with daily parking demand.* Ten (10%) percent of parking spaces provided shall be equipped with an installed Electric Vehicle Charging Station. Thirty (30%) percent of parking spaces provided shall be Level 2 EV Capable. One 80kW Direct Current Fast Charger may be substituted for up to five (5) Electric Vehicle Charging Stations.
- d. *Nonresidential - Retail uses, grocery stores, commercial recreation, restaurants, bars, cafes, theaters or similar uses with hourly parking demand.* Ten (10%) percent of parking spaces provided shall be equipped with an installed Electric Vehicle Charging Station. One 80kW Direct Current Fast Charger may be substituted for up to five (5) Electric Vehicle Charging Stations.
- e. *Automatic Load Management Systems (ALMS) permitted.* Nothing in this subsection excludes the use of Automatic Load Management Systems in parking facilities. ALMS systems must be designed to deliver a minimum of 8-amperes and not less than 1.4-kiloWatts at the provided voltage, to each EV Capable, EV Ready or EVCS space served by the ALMS.
- f. *Non-proprietary infrastructure.* Electric vehicle supply equipment installed pursuant to this subsection shall be compatible with a broad range of electric vehicle makes and models.
- g. *Definitions:*
 1. *Level 1 EV Ready Space* shall mean a space that is served by a complete electric circuit with a minimum of 110/120 volt, 20-ampere capacity

including electrical panel capacity, and such additional elements deemed necessary by the Building Official.

2. *Level 2 EV Ready Space* shall mean a space that is served by a complete electric circuit with a minimum of 208/240 volt, 40-ampere capacity including electrical panel capacity, and such additional elements deemed necessary by the Building Official, or b) electric vehicle supply equipment (EVSE) with a minimum output of 30 amperes.
3. *Level 2 EV Capable* shall mean a parking space linked to a listed electrical panel with sufficient capacity to provide at least 208/240 volts and 40-amperes to the parking space. Raceways linking the electrical panel and parking space only need to be installed in spaces that will be inaccessible in the future, and such additional elements deemed necessary by the Building Official.
4. *Electric Vehicle Charging Station (EVCS)* shall mean a parking space that includes installation of electric vehicle supply equipment (EVSE) with a minimum capacity of 30 amperes connected to a circuit serving a Level 2 EV Ready Space. EVCS installation may be used to satisfy a Level 2 EV Ready Space requirement. Electric vehicle supply equipment (EVSE) shall be installed in accordance with the California Electrical Code, Article 625.
5. *Automatic Load Management Systems (ALMS)*: A control system which allows multiple EV chargers or EV-Ready electric vehicle outlets to share a circuit or panel and automatically reduce power at each charger, providing the opportunity to reduce electrical infrastructure costs and/or provide demand response capability.

h. Exceptions. The Planning Director or Planning Board may authorize exceptions to the EV charging requirements of this section for 100% affordable housing development if such exception is required to address cost constraints, unique site constraints, or any unique or special characteristics of the use.

30-7.6 Off-Street Bicycle Parking Requirements.

Secure long- and short-term bicycle parking spaces shall be provided consistent with the following requirements.

- a. *Number of Spaces Required.* Table B states the minimum number of bicycle parking spaces that shall be provided for each land use.
- b. Uses not specified in Table B shall utilize the same rates as the most similar uses specified in Table B as determined by the Planning Director based on demonstrated bicycle parking need for comparable uses. Bicycle parking shall be designed consistent with the City of Alameda Bicycle Facility Design Standards.
- c. *Dedicated Private Garages.* Dwelling units with private, dedicated garages are considered as having satisfied the requirement for long-term bicycling parking spaces.
- d. *Table B: Minimum Number of Bicycle Parking Spaces*

Land Use	Long-Term Spaces	Short-Term Spaces
Dwelling unit	1 per unit	2 per 10 units or portion thereof
Hotel, motel	1 per 25 rooms (2 minimum)	2 per 25 rooms or portion thereof
Shared living and similar uses	0.5 per unit or room	2 per 25 rooms or portion thereof
Multiple-family senior housing, transitional and supportive housing, and similar uses with shared or no garage	1 per 10 units (2 minimum)	2 per 20 units or portion thereof
Residential care facility	1 per 20 employees or 70,000 square feet (sf) floor area, whichever is greater (2 minimum)	1 per 25 rooms (2 minimum)
Retail, grocery store, commercial recreation	1 per 10,000 sf (2 minimum)	1 per 2,000 sf floor area (2 minimum)
Office, research and development, life science, and similar employment uses	1 per 5,000 sf floor area (2 minimum)	1 per 5,000 sf floor area (2 minimum)
Restaurants, bars, cafes, theaters, entertainment	1 per 5,000 sf floor area (2 minimum)	1 per 1,500 sf floor area (2 minimum)
Banks, financial services, institutional uses, hospitals, and health clinics	1 per 10,000 sf floor area (2 minimum)	1 per 2,000 sf floor area (2 minimum)
Industrial, distribution and similar uses	1 per 10,000 sf floor area (2 minimum)	1 per 10,000 sf floor area (2 minimum)
Public parks and outdoor recreational uses	To be determined within the context of the conditional use permit process for the proposed use.	

- e. *Design Standards.* Bicycle parking shall be designed consistent with the City of Alameda Bicycle Facility Design Standards.
- f. *Manual Lifting.* For projects requiring at least ten (10) long-term bicycle parking spaces, spaces that require the user to manually lift the bicycle vertically two (2') feet or more off the ground shall not constitute more than thirty percent (30%) of the total spaces. All other spaces shall not require lifting the bicycle or be equipped with mechanical or other built-in assistance to secure the bicycle.

- g. *Other Bicycle Types.* For projects requiring at least ten (10) long-term bicycle parking spaces, a minimum of ten (10%) percent of spaces shall accommodate bicycles that might not fit in traditional racks such as cargo bikes, adult tricycles and electric bicycles with wider tires.
- h. *Use of Public Right-of-Way.* Short-term bicycle parking may be located in the public right-of-way, subject to an Encroachment Permit or other Public Works Director approval.
- i. *Exceptions.* The Planning Director or Planning Board may authorize exceptions to the requirements of the minimum number of bike parking spaces stated in Table B, location, or the design standards, if such exception is required to address unique site constraints, any unique or special characteristics of the use, or is appropriate to provide improved access to bicycle parking facilities.

30-7.7 Transportation Demand Management Requirements.

Transportation Demand Management (TDM) programs shall be implemented to relieve automobile congestion and provide for the safe, efficient, and equitable use of the public street network by pedestrians, bicyclists, transit, emergency vehicles, and automobiles; and to reduce the air pollution, storm water runoff, urban heat island effects, and greenhouse gas emissions generated by automobile use, consistent with the following requirements:

- a. *TDM Program.* Any development or project under Section 30-7.2 that will result in a net increase of 110 vehicle trips per day onto the public street network as determined by the Institute of Transportation Engineers (ITE) Trip Generation Manual shall implement a TDM Program designed to reduce the number of vehicle trips generated by the project. The TDM program shall implement measures and/or improvements designed to change individual travel behavior to encourage greater use of alternative modes of transportation to reduce single-occupancy vehicle trips, vehicle miles traveled, and parking demand.
- b. *Unbundled Parking.* The cost of private residential parking in a shared common parking facility shall be unbundled from the price of the housing unit such that potential renters or buyers shall have the option of renting or purchasing a dwelling unit at a price lower than would be the case if there were a single price for both the dwelling unit and the parking space. The following rules shall apply to the sale or rental of parking spaces in new multi-family residential buildings of ten (10) units or more:
 - i. All off-street parking spaces shall be leased or sold separately from the rental or purchase fees for the individual units for the life of the units, such that potential renters or buyers have the option of renting or buying a unit at a price lower than would be the case if there were a single price for both the unit and the parking space(s).
 - ii. Potential buyers and renters of affordable residential units have an equal opportunity to buy or rent parking spaces on the same terms and conditions as offered to the potential buyers and renters of market rate units, at a price proportional to the sale or rental price of their units as compared to

comparable market rate units. This stipulation shall be included in any agreement recorded between the City and the developer pertaining to the affordable housing units.

- iii. Affordable units that include financing requirements that conflict with these provisions may be granted an exception from these provisions by the Planning Director or Planning Board.

30-7.8 Off-Street Parking Improvement, Location, and Dimensional Requirements and Standards.

Off-street vehicle parking spaces are subject to the following requirements and standards:

- a. *Improved Surface.* All parking areas and access driveways shall have a smoothly graded, stabilized, all weather and dustless surface with adequate drainage so that damage will not be caused to adjacent properties, nor will such water drain across a public walk. Appropriate bumper guards or curbs shall be provided, where needed, in order to define parking spaces or limits of paved areas.
- b. *Landscaping.* For unenclosed parking lots, a minimum of one (1) tree for every four (4) parking spaces shall be provided to reduce heat island effect and create a tree canopy throughout the parking lot. Unenclosed parking spaces next to the walls of adjacent buildings or property lines shall be separated from such by a minimum three (3') feet of landscaped area. Backup areas and driveways shall have a minimum of one (1') foot of landscaped separation from property lines as measured from inside of curb, or adjacent pavement if no curb. Any unenclosed parking space or backup area that is adjacent to a public street shall be separated from the public street or sidewalk by a minimum of five (5') feet of landscaped area.
- c. *Location on Site.* No parking space for a residential building may be located in any minimum required front yard, or in any minimum required side yard on the street side of any corner lot. No parking spaces for a non-residential building shall be located between the main building(s) and the street frontage(s). Parking spaces located between the main building(s) and the street frontage(s) may be approved through design review if it can be demonstrated that:
 - 1. to locate the parking in conformance with subsection 30-7.8.b. would not constitute a change in the existing conditions on the site, or
 - 2. the nature of the proposed use or the configuration of the property requires that some or all of the parking be located in front of the building, and
 - 3. the design of the parking area and driveways will not adversely impact pedestrian, bicycle, vehicular, or transit visibility, as defined by subsection 30-5.14(b)10 or access in the vicinity of the site as determined by the Public Works Director.
- d. *Wheel Stops.* Where parking is provided perpendicular or angled into a public or private sidewalk or other pedestrian or bicycle pathway, wheel stops or other appropriate measures such as extending the curb and landscaped area as described below shall be utilized to prevent encroachment by parked vehicles. The required parking space lengths may, for nonparallel spaces, be reduced by up to

one and one-half (1½') feet, with the curb to serve as a tire stop. The one and one-half (1½') feet wide area that would otherwise be paved as part of the parking space (i.e. the "overhang" area), shall either be landscaped (with lawn or ground covers not exceeding six (6") inches in height), or if abutting a walkway, shall be paved with material similar to that of the walkway.

- e. *Lighting.* Parking areas shall be adequately illuminated to ensure public safety. Lighting shall be so designed and located to shield light from adjoining properties and shall not cause a glare hazardous to pedestrians or auto drivers. The maximum height of a parking lot light standard shall be twenty-five (25') feet. All light fixtures in residential zones, or on parcels adjacent to any residential use, shall be limited to "full cut-off" type illumination. Ground level illumination shall not exceed a minimum standard of two (2) foot candles, with a ratio no greater than fifteen to one (15 to 1) between the highest and lowest areas of illumination. In a residential zone, or on a parcel adjacent to any residential use, the permitted minimum standard is reduced to one-half (½) foot candles. Any proposal for parking lot lighting that would vary from the above standards is subject to approval by the Planning Director.
- f. *Physical Clearance.* All parking backup and driveway access areas shall have a minimum vertical clearance of seven (7') feet, except handicapped parking and access areas which shall have eight (8') feet vertical clearance. Parking spaces shall be maintained free and clear of obstruction except as necessary to accommodate landscape wells, supporting structures for parking lifts, and other parking facility elements approved by the Planning Director.
- g. *Access Design.* Parking areas with five (5) or fewer spaces may be designed for vehicles to back out onto the street. All other parking areas shall be designed for vehicles to enter and exit in a forward direction, unless otherwise permitted by the Public Works Director.
- h. *Residential Driveway Width.* For residential uses, a minimum driveway width of eight and one-half (8½') feet and a maximum of ten (10') feet is permitted. Driveways that provide access to two (2) or more adjacent single car garages, if separated from each other by a landscaped strip not less than three (3') feet wide, are measured as individual driveways when determining compliance with this subsection.
 - 1. Exceptions to the ten-foot (10') limitation for residential driveways may be permitted to: (i) allow a maximum width of up to sixteen (16') feet in order to provide access to a two (2) car garage located no further than fifty (50') feet from the lot's street frontage(s); or (ii) allow a "flare out" that provides adequate maneuvering area to a multi car garage located more than fifty (50') feet from the lot's street frontage(s), subject to approval by the Public Works Director.
- i. *Commercial Driveway Width.* For non-residential uses, a driveway occupying no more than forty (40%) percent of lot frontage or twenty (20') feet in width (whichever is less) is permitted. For service stations a maximum driveway width of forty feet (40') is permitted.

- j. *Driveway Location.* The centerline of an access driveway where it connects to a street shall be at least thirty-five (35') feet from the nearest street right-of-way line of an intersection, unless otherwise permitted by the Public Works Director.
- k. *Curb Cuts.* No more than one (1) curb cut per lot shall be allowed per parcel, or if one use is occupying multiple parcels with cross access easements, per use, except for service stations where access shall be limited to a maximum of two (2) curb cuts, unless otherwise approved by the Planning and Public Works Directors.
 - 1. Notwithstanding subsection (k) above, new curb cuts for automobile access to new, expanded, or existing off-street parking lots are prohibited on Park Street and Webster Street frontage within the C-C zoning district, as well as crossing any Class IV separated bikeways that are built or part of an adopted plan. Existing curb cuts may be relocated, or access may be provided from a side street, provided that the property does not already include one (1) curb cut on the side street or has sufficient frontage on the side street to safely accommodate the additional curb cut, as determined by the Public Works Director. If access cannot be provided from an existing, relocated, or side street curb cut, then the project applicant may request a waiver of this requirement as approved by the Planning and Public Works Directors.
- l. *Regular Spaces.* At least fifty (50%) percent of the provided parking spaces shall be not less than eight and one-half (8½') feet wide by eighteen (18') feet long exclusive of access driveways and backup areas. The parking space length shall be increased to twenty-one (21') feet for parallel spaces. Trees, bollards, poles or other obstructions shall not encroach into these dimensions.
- m. *Compact Spaces.* A maximum of fifty (50%) percent of the provided parking spaces may be compact car spaces, at least seven and one-half (7½') feet wide by fifteen (15') feet long. When more than three (3) compact spaces are provided immediately adjacent to one another, spaces shall be not less than eight (8') feet wide. All compact spaces shall be clearly marked "COMPACT." The parking space length shall be increased to eighteen (18') feet for parallel spaces. Trees, bollards, poles, or other obstructions shall not encroach into these dimensions.
- n. *Backup Area.* Minimum backup areas for parking spaces shall be as listed below. When standard and compact spaces share the same backup area, the backup depth for standard spaces shall be utilized.

<i>Angle of Parking</i>	<i>Backup Area Depth</i>		
	<i>Standard</i>	<i>Compact</i>	<i>Residential</i>
90	24'	23'	21'
70	19'	18'	16'
60	18'	17'	16'
50	15'	14'	13'

45	13'	12'	11'
40	12'	11'	11'
30	12'	11'	11'
Parallel	11'	11'	11'

Section 6. Severability. If any provision of this Ordinance is held by a court of competent jurisdiction to be invalid, this invalidity shall not affect other provisions of this Ordinance that can be given effect without the invalid provision and therefore the provisions of this Ordinance are severable. The City Council declares that it would have enacted each section, subsection, paragraph, subparagraph and sentence notwithstanding the invalidity of any other section, subsection, paragraph, subparagraph or sentence.

Section 7. Implied Repeal. Any provision of the Alameda Municipal Code inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to the extent necessary to effect the provisions of this Ordinance.

Section 8. Effective Date. This Ordinance shall be in full force and effect from and after the expiration of thirty (30) days from the date of its final passage.

Section 9. Authority. This Ordinance is enacted pursuant to the City of Alameda's general police powers, Section 1-2 of the Charter of the City of Alameda, and Article XI of the California Constitution.

Presiding Officer of the City Council

Attest:

Lara Weisiger, City Clerk

* * * * *

I, the undersigned, hereby certify that the foregoing Ordinance was duly and regularly adopted and passed by the Council of the City of Alameda in a continued regular meeting assembled on this ____ day of November 2021 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this _____ day of November 2021.

Lara Weisiger, City
Clerk City of Alameda

APPROVED AS TO FORM:

Yibin Shen, City Attorney
City of Alameda