



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: March 5, 2019

TO: Christine Daniel, City Manager

FROM: Charles S. Bryant, Community Development Director

SUBJECT: Discussion of Elimination of Minimum Off-Street Parking Requirement

RECOMMENDATION

Staff requests that the City Council review the minimum off-street parking requirement and provide direction as to whether it should be eliminated.

BACKGROUND

At the City Council meeting on January 15, 2019, Council Member Bauters requested and received Council support for a review of the minimum off-street parking requirements, and a discussion of whether they should be eliminated for new development. The parking requirements are contained in Article 4 of Chapter 4 of the Planning Regulations, which are Title 9 of the Emeryville Municipal Code (EMC). This Article is attached for reference.

The off-street parking requirements provide for a range of allowable parking spaces for each use, from a minimum to a maximum, based on an "estimated parking demand". The minimum number of spaces required is 33% less than the estimated parking demand, and the maximum number of spaces allowed is 10% more than the estimated parking demand. For example, office uses have an estimated parking demand of 2.4 spaces per 1,000 square feet. The minimum requirement is 1.6 spaces per 1,000 square feet (33% less than 2.4) and the maximum number of spaces allowed is 2.64 spaces per 1,000 square feet (10% more than 2.4). For residential uses, the estimated parking demand is 1 space per unit (not including guest parking, if required). The minimum requirement is therefore 0.67 spaces per unit, and the maximum is 1.1 spaces per unit. The first 1,500 square feet of floor area is deducted when calculating the parking requirement for a non-residential use, so uses of less than 1,500 square feet are not required to provide parking. All parking requirements (minimum and maximum) are reduced by 50% in the TH Transit Hub Overlay Zone, and local-serving uses having a gross floor area of 5,000 square feet or less are exempt from parking requirements in the NR Neighborhood Retail Overlay Zone.

The parking minimum may be reduced or waived, and the maximum may be increased, upon the granting of a conditional use permit by the Planning Commission. To grant a conditional use permit to reduce or waive the minimum parking requirement, the Planning Commission must find that adequate measures will be put in place to reduce parking demand such as promoting use of public transit, bicycling, and walking, and allowing modified working hours and telecommuting, and that the reduction or elimination of the required parking spaces will not result in parking impacts on adjacent uses due to overflow parking. To grant a conditional use permit to provide more than the allowed maximum number of parking spaces, the Planning Commission must find that the applicant has

convincingly demonstrated that the additional parking is required to meet the anticipated parking demand of the proposed uses, and that the provision of the additional parking will not result in an over dependence on automobiles and will not adversely affect transit, bicycle, or pedestrian access to the site or other adjacent uses.

DISCUSSION

If the parking minimum were eliminated, there would still be a maximum number of spaces allowed for each use, so the allowable range of parking spaces would be anything from zero up to the maximum. The maximum would still be reduced by 50% in the TH Transit Hub Overlay Zone, and local-serving uses having a gross floor area of 5,000 square feet or less would still be exempt from parking requirements in the NR Neighborhood Retail Overlay Zone. There would no longer be a need for a conditional use permit to reduce or waive the minimum parking requirement, so those provisions could be eliminated; however, the conditional use permit provisions for providing more than the allowed maximum number of parking spaces would remain.

Should the City Council wish to eliminate the minimum parking requirements, an amendment to the Planning Regulations will be required. This involves a recommendation from the Planning Commission followed by passage of an ordinance by the City Council. EMC Section 9-7.1303 stipulates that an amendment to the Planning Regulations “may be initiated by ... an order of the City Council or Planning Commission, on its own motion or on the recommendation of the Director of Planning and Building [i.e. Community Development Director].” Thus, the Council may intimate such an amendment if it wishes to do so, and may direct the Planning Commission to hold a public hearing and provide a recommendation to the Council on the proposed amendment. Alternatively, the Council may wish to refer the matter to the Planning Commission for a study session and a recommendation on future direction.

CONCLUSION

Staff requests that the City Council determine whether it wishes to eliminate the minimum off-street parking requirement, and if so, to provide direction to staff and the Planning Commission accordingly.

APPROVED AND FORWARDED TO THE CITY COUNCIL OF THE CITY OF EMERYVILLE:



Christine Daniel, City Manager

ATTACHMENT

- Planning Regulations Chapter 4, Article 4, Parking and Loading