



City of Palo Alto

City Council Staff Report

(ID # 11052)

Report Type: Action Items

Meeting Date: 8/10/2020

Summary Title: Adoption of Minor Changes to Parking Code Chapters 18.52 and 18.54

Title: PUBLIC HEARING: Adoption of an Ordinance Amending Palo Alto Municipal Code Chapters 18.52 and 18.54 Adjusting Parking Requirements to Facilitate EVSE Installation, Compliance With Accessibility Laws, Parking Substitutions, and Parking Lot Re-striping and Maintenance. Environmental Assessment: This Project is Exempt From the California Environmental Quality Act (CEQA) in Accordance With CEQA Guidelines Section 15301, 15302, 15303, and 15061(b)(3)

From: City Manager

Lead Department: Planning and Development Services

Recommendation

The Planning and Transportation Commission (PTC) recommends the City Council adopt the proposed ordinance (Attachment A) amending Title 18 (Zoning Code) Chapters 18.52 (Parking and Loading Requirements) and 18.54 (Parking Facility Design Standards) of the Palo Alto Municipal Code (PAMC). Staff concur with this recommendation.

Executive Summary

The proposed amendments to PAMC Chapters 18.52 and 18.54 are intended to:

- Facilitate electric vehicle supply equipment (EVSE)¹ installation throughout Palo Alto,
- Promote the use of alternate modes of transportation,
- Achieve compliance and alignment with the Americans with Disabilities Act (ADA) and California Building Code Accessibility Chapters 11A and 11B, and
- Allow for re-striping and maintenance of existing parking lots.

¹ Electric Vehicle Supply Equipment (EVSE)¹ is defined to be consistent with the California Electrical Code and applies to any level or capacity of supply equipment installed specifically for transferring energy between the premises wiring and electric vehicles. Commonly EVSE is referred to as EV chargers

In addition, the proposed amendments support environmentally sustainable development and sustainable transportation modes that reduce greenhouse gas (GHG) emissions. Reductions in GHG emissions help fight climate change and help the City reach its sustainability targets. As noted in the Sustainability and Climate Action Plan Priorities, “Road transportation represents the largest percentage of Palo Alto’s existing carbon footprint.”²

The proposed Code changes include:

1. Addressing Zoning Compliance Challenges for EVSE Retrofitting: Minimally reducing the overall number or size of vehicle parking stalls to accommodate the installation of EVSE and associated electrical utility equipment.
2. Allowing Substitution of Bicycle Parking for Automobile Parking Spaces: Establishing allowances for eight additional bicycle parking spaces to replace one required vehicle parking space.
3. Establishing Language Regarding Motorcycle Parking: Adding language to allow for motorcycle parking.
4. Supporting Maintenance of Existing Facilities: Providing local standards for existing parking lot re-stripping and maintenance of existing parking facilities.
5. Complying with State Law: Bringing local code language in compliance with state-mandated parking requirements related to the California Building Code Accessibility requirements and the Americans with Disabilities Act (ADA).
6. Retrofitting Parking Lots: Retrofits for EVSE associated electrical utility equipment
7. Code Cleanup: Code clean-up associated with the proposed changes above and for internal consistency and clarity.

Background

The proposed code amendments follow the May 27, 2020, PTC public hearing and formal recommendation. Excerpt minutes of the PTC discussion of the proposed ordinance are provided as Attachment C. The amendments arose from a PTC Study Session March 13, 2019; staff and the PTC discussed the common barriers for EVSE installations within existing developments. Draft code language and policy suggestions were the subject of a second Study Session on January 29, 2020. The second session expanded the conversation to include

² <https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?t=59291.03&BlobID=75163>

amendments:

- Complying with new State Laws,
- Addressing EVSE retrofitting more robustly, and
- Addressing other common issues related to parking requirements and design regulations.

The PTC recommended the draft ordinance, with minor revisions, on May 27, 2020. The PTC recommended approval, on a 5-1-1 vote (Summa voting no, Riggs absent). The PTC recommended minor modifications intended to improve the clarity of the ordinance.

Links to previous staff reports and minutes can be found below:

PTC Hearing March 3, 2019

Staff Report: <https://www.cityofpaloalto.org/civicax/filebank/documents/69684>

Meeting Minutes: <https://www.cityofpaloalto.org/civicax/filebank/documents/70120>

PTC Hearing January 29, 2020,

Staff Report: <https://www.cityofpaloalto.org/civicax/filebank/documents/74958>

Meeting Minutes: <https://www.cityofpaloalto.org/civicax/filebank/documents/75701>

PTC Hearing May 27, 2020

Staff Report: <https://www.cityofpaloalto.org/civicax/filebank/documents/76827>

Meeting Minutes: Not approved by PTC at the time of report publication. Draft excerpt minutes is Attachment C.

Discussion

1. Zoning Compliance Challenges for EVSE Retrofitting

The ordinance accommodates electric vehicle chargers (EVSE) within existing parking areas. Retrofitting existing parking lots for electric vehicle charging has been challenging, given the limited flexibility of the existing Zoning Code. The proposed ordinance allows minor encroachments into the required dimensions of parking spaces to install EVSE. The ordinance minimizes points of conflict between EVSE and the required collision protection (bollards). The ordinance allows a minimum space dimension reduction of no more than 18 inches to accommodate EVSE or the associated electrical utility equipment. The ordinance includes a cap to this allowance; a maximum of 10% of the overall parking spaces or two stalls, whichever is greater. This approach allows the flexibility needed to install EVSE at existing parking facilities at existing developments while balancing the desire to preserve existing parking capacity. The amendment would allow EVSE permit applications to move forward with less process, saving time and money for applicants. Staff recognizes that this approach would not cover all

situations; a Director's Adjustment provision enables a greater number of parking stalls to be reduced in size for EVSE installations. The Directors Adjustment process is done in association with an entitlement.

2. Substitution of Bicycle Parking for Automobile Parking Spaces

The proposed ordinance allows the substitution of additional bicycle parking spaces for one required automobile parking space. This substitution would be allowed when eight short-term or four long-term bicycle parking spaces are proposed to replace one code-required automobile parking space. The substitution parking space location must be near primary entries of the building on-site or meet best practices for bicycle parking facilities. Best practices include placement in highly visible areas that are well-lit while being as close as possible to the building entrances. This would not be a means for a site to reach its code required bicycle parking totals; the substitution of bicycle parking spaces would be in addition to the required bike parking spaces. The ordinance provides a means to increase bicycle parking capacity where additional bicycle parking facilities cannot be installed outside of the parking facility area. A maximum cap is proposed: 10% or at least two of existing automobile parking stalls can be substituted. This code amendment is similar to the 1998 code language for extra bicycle space substitutions. This amendment supports many of the City's sustainability goals and Comprehensive Plan Policies and Goals; these goals emphasize and facilitate other means of transportation than single-occupancy motor vehicles. The PTC clarified that this would be allowed when applicants demonstrate that there is no available area for bicycle parking near a primary entry within landscaped areas or pathways.

3. Establishing Language Regarding Motorcycle Parking

While researching the policies of other cities regarding EVSE retro-fitting, staff observed that many cities provide a standard for motorcycle parking that facilitates more efficient usage of parking facilities. Motorcycle parking stalls have smaller dimensions than standard automobile parking stalls. Taking this concept and recognizing that the Palo Alto Municipal Code does not have a standard for motorcycles, staff developed code language that would introduce motorcycle parking standards.

The intent is to allow for private parking lots to stripe for motorcycle parking spaces, increase parking capacity in some situations, and avoid situations where a lone motorcycle is occupying a standard parking space for an automobile. This provides an alternative location for motorcycles that is appropriate to their size while utilizing areas of existing parking lots that are underused to be stripped for motorcycles. Motorcycle parking spaces may be added in areas of the parking facility that safely accommodate motorcycles, even though such space may not be appropriately dimensioned for a car. This can increase the parking capacity of existing facilities

and new facilities. Code language associated with the definition and the required dimensions for motorcycle parking are included in the ordinance.

Motorcycle parking does not replace any code required parking for automobiles.

4. Maintenance of Existing Parking Facilities

The proposed ordinance enables existing parking facilities, considered legal non-complying facilities, to be updated. The current code states that non-complying facilities cannot be changed if the change increases the degree of non-compliance. Owners will be able to restripe a non-complying parking lot to provide safer clearances, with some loss of spaces. This allowance brings parking facilities in line with current standards and best practices that ensure safety and minimize circulation hazards. Owners would also be able to restripe the parking lot to accommodate a refuse enclosure compliant with current stormwater protection regulations.

The ordinance includes a Director's Adjustment to allow owners of existing non-complying facilities to restripe their existing parking facilities. The restriping would be to improve vehicle circulation by reducing or eliminating hazards or to meet current parking facility design standards, City waste management objectives, and stormwater policies. A Director's Adjustment would require a staff-level Architectural Review process. The adjustment would not be available with a new development proposal. A parking in-lieu fee would not be assessed for properties located in the Downtown parking district seeking to restripe an existing parking facility under this provision.

5. Code Amendment for Compliance with State Mandated Parking Requirements for Accessible Parking and Related EVSE Regulations.

The proposed ordinance aligns with new State Law regulation for accessible parking spaces related to EVSE. State Law (AB 1100), effective since January 1, 2020, requires local jurisdictions to count an accessible parking space with access aisles served by EVSE or accessible parking space with an aisle designated as "EV Ready" to be counted as at least two standard automobile parking spaces. The ordinance enables staff to count standard accessible spaces in the same fashion, to have a consistent counting methodology for accessible parking regardless of EVSE or EV Ready designations. The PTC supported the draft language with this counting methodology for accessible parking spaces. Also, new State Law requires standard EVSE and "EV Ready" (not accessible) spaces to count at least once towards the parking requirements. For development reviews, staff has not differentiated standard automobile parking spaces from EVSE and "EV Ready." The proposed code language would codify current practice and provide consistency with State Law.

Staff has also allowed tenants and property owners of developed properties to upgrade

accessible parking if the site is out of compliance with current State accessibility requirements. The need to add accessible parking spaces is often triggered by changes of use. Tenant improvements to an existing building can also trigger new accessibility requirements. Staff and the PTC recommend codifying the current practice of allowing minor parking stall losses associated with required accessibility upgrades. The PTC had no objections to the minor parking stall losses associated with this situation. The proposed code language allows for these modifications to be reviewed ministerially, when the improvements are associated with State requirements.

6. Parking Lot Retrofitting for EVSE Associated Electrical Utility Equipment

In section 1 of the proposed code amendments, the language allows for EVSE associated utility equipment (such as transformers and switchgear) to encroach into the required parking stall dimensions by no more than 18 inches. However, this minor allowance would not always accommodate the utility equipment. Utility equipment varies in size, requires collision protection, and has required access clearances. The ordinance addresses situations where EVSE associated electrical utility equipment is required but there is no physical place for it to be installed. Site constraints can result in difficulties, such that the minor allowance for 18-inch stall dimension reductions would not be sufficient; in those cases, the equipment would be allowed to occupy existing parking spaces. In these situations, similar to the minor parking stall losses for required accessible spaces, that the ordinance would allow a ministerial process, and impose a cap of 10% or allow one stall to be lost in this situation, to limit total stall losses for the site.

7. Code Clean-Up Associated the Proposed Code Amendments

The ordinance includes additional minor changes to the affected PAMC chapters to allow for internal consistency with the amendments. The ordinance addresses outdated code sections related to accessible parking and confusing code sections related to Downtown parking regulations. Specifically, for accessible parking, the existing code PAMC Section 18.52.040(6) states that parking for a disabled person shall be provided in addition to the parking requirement outlined in the chapter's Tables 1 and 2. This is an outdated code section; accessible parking is counted towards the parking requirements and is proposed to be amended accordingly.

Concerning Downtown parking regulations, PAMC Chapters 18.18 and 18.52 both have code sections that speak to the Downtown parking and loading requirement. Both sections have nearly identical language except for a few minor differences. Retaining both sections can lead to confusion in terms of what section applies in a given situation. As such, PAMC 18.18.090 is proposed to be deleted and restated to reference Chapters 18.52 and 18.54 for governing the CD district. The proposed deletion of PAMC 18.18.090 would not change the parking

regulations for the CD district. The change intends to provide clarity and consistency in the code.

Resource Impact

There are potential impacts on existing electrical utilities throughout the City as more EVSE is installed; that is, there would be an associated impact on existing utility transformers. Existing sites with retro-fitted EVSE's would likely require new transformers and electrical switchgears to support the increased electrical demands from the EVSE's. The costs associated with the transformer and switch gear upgrades are typically paid for by the property owner or tenant.

Timeline

Second reading of the ordinance, if adopted, will be scheduled for the August 10, 2020, Council consent agenda.

Stakeholder Engagement

Three public hearings enabled public participation. As of writing this report, staff had not received written public comments on this item.

Environmental Review

The proposed amendments to the Palo Alto Municipal Code are exempt from the California Environmental Quality Act (CEQA) in Accordance with CEQA Guidelines Section 15301, 15302, 15303, and 15061(b)(3). The proposed changes to the Municipal Code would enable renovation of existing facilities within developed areas of the City and promote sustainable forms of transportation that have fewer environmental impacts.

Attachments:

Attachment A: Draft Ordinance to amend PAMC Chapters 18.52 and 18.54

Attachment B: Comprehensive Plan Consistency

Attachment C: Excerpt Draft Minutes PTC 5.27.2020 EV

Ordinance No. _____

Ordinance of the Council of the City of Palo Alto Amending Chapter 18.52 (Parking and Loading Requirements) and Chapter 18.54 (Parking Facility Design) of Title 18 (Zoning) of the Palo Alto Municipal Code (PAMC) to Facilitate EVSE Installation, Compliance with Accessibility Requirements, Parking Substitutions, and Associated Parking Adjustments

The Council of the City of Palo Alto ORDAINS as follows:

SECTION 1. Findings and declarations. The City Council finds and declares as follows:

- A. On October 12, 2019, the Governor approved AB 1100, which requires local authorities to count as a standard automobile parking space any parking space served by electric vehicle supply equipment (EVSE) or designated for future EVSE. AB 1100 further requires cities to count as two standard automobile parking spaces any accessible parking space with an access aisle served by EVSE or designated for future EVSE.
- B. The City of Palo Alto promotes the use of Electric Vehicles. In 2017, one in three new vehicles purchased in Palo Alto was electric - the highest adoption rate in the country.
- C. It can be especially difficult for existing parking facilities to install new EVSE, as both the EVSE and require electric utility equipment require additional spaces compared to standard automobile parking.
- D. Existing parking facilities also face difficulty installing accessible parking spaces in compliance with state and federal law. Successful implementation often requires the loss of one or more existing parking spaces.
- E. Numerous other City priorities, including expansion of bicycle infrastructure, facilitation of waste management, and improvement of substandard parking stalls may be hampered by strict application of existing parking standards.
- F. The City Council desires to update the parking requirements in Title 18 of the Palo Alto Municipal Code to facilitate installation of EVSE and accessible parking spaces, improve flexibility for existing parking facilities, and make associated code changes.

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SECTION 2. Section 18.52.020 (Definitions) of Chapter 18.52 (Parking and Loading Requirements) of Title 18 (Zoning) is hereby amended as follows:

18.52.020 Definitions

For purposes of this chapter:

(a) "Accessible"

"Accessible" means the ability to be used by persons with disabilities as defined in the Americans with Disabilities Act of 1990.

(b) "Construction of Floor Area"

"Construction of floor area" means the construction or building of "floor area" except for new floor area added to an existing, restored, or partially reconstructed building to meet the minimum requirements of federal, state or local laws relating to fire prevention and safety, handicapped access, and building and seismic safety;

(c) "Design Approval"

"Design approval" means approval pursuant to Sections [18.76.020](#) and [18.77.070](#) by the director of planning and community environment (the "director") upon recommendation of the architectural review board.

(d) "Electric Vehicle Supply Equipment (EVSE)"

"Electric Vehicle Supply Equipment (EVSE)" is defined to be consistent with the California Electrical Code and applies to any level or capacity of supply equipment installed specifically for transferring energy between the premises wiring and electric vehicles.

(e) "Motorcycle Parking"

"Motorcycle Parking" means a parking space designed for any motor vehicle designed to travel on not more than three wheels in contact with the ground. This includes mopeds and motor scooters.

~~(d)~~ (f) "Parking Assessment Areas"

"Parking assessment areas" means either:

- (1) The "downtown parking assessment area," which is that certain area of the city delineated on the map of the University Avenue parking assessment district

entitled *Proposed Boundaries of University Avenue Off-Street Parking Project No. 75-63 Assessment District, City of Palo Alto, County of Santa Clara, State of California*, dated October 30, 1978, and on file with the city clerk; or

(2) The "California Avenue area parking assessment district," which is that certain area of the city delineated on the map of the California Avenue area parking assessment district entitled *Proposed Boundaries, California Avenue Area Parking Maintenance District*, dated December 16, 1976, and on file with the city clerk;

~~(e)~~(g) "Shared (Joint Use) Parking"

"Shared (joint use) parking" means parking intended to accommodate multiple uses, whether residential or non-residential or both, and to minimize the number of parking spaces needed by allowing some spaces to be used for different uses at different times of the day or night.

(h) Definitions for other parking-related terms can be found in Section [18.04.030](#)(a) (Definitions), including "Parking as a principal use," "Parking facility," and "Parking space."

SECTION 3. Section 18.52.030 (Basic Parking Regulations) of Chapter 18.52 (Parking and Loading Requirements) of Title 18 (Zoning) is hereby amended to amend subsection (c) as follows:

18.52.030 Basic Parking Regulations

[. . .]

(c) Non-Conformance Due to Parking Requirements

No use of land lawfully existing on July 20, 1978 is nonconforming solely because of the lack of off-street parking, loading, or bicycle facilities prescribed in this chapter; provided, that facilities being used for off-street parking on July 20, 1978, shall not be reduced in capacity to less than the number of spaces prescribed in this chapter or altered in design or function to less than the minimum standards prescribed in this chapter except for the allowed reductions in parking and the modifications to existing facilities allowed pursuant to Sections 18.52.045 and 18.52.050.

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SECTION 4. Subsection (b) of Section 18.52.040 (Off-Street Parking, Loading and Bicycle Facility Requirements) of Chapter 18.52 (Parking and Loading Requirements) of Title 18 (Zoning) is hereby amended as follows:

18.52.040 Off-Street Parking, Loading and Bicycle Facility Requirements

[. . .]

(b) Calculation of Required Parking

Off-street parking, loading and bicycle facility requirements established by subsection (a) shall be applied as follows:

- (1) Where the application of the schedule results in a fractional requirement, a fraction of 0.5 or greater shall be resolved to the next higher whole number.
- (2) For purposes of this chapter, gross floor area shall not include enclosed or covered areas used for off-street parking or loading, or bicycle facilities.
- (3) Where uses or activities subject to differing requirements are located in the same structure or on the same site, or are intended to be served by a common facility, the total requirement shall be the sum of the requirements for each use or activity computed separately, except as adjusted by the director under the provisions of Table 1 or Section 18.52.050. The director, when issuing a permit(s) for multiple uses on a site, may restrict the hours of operation or place other conditions on the multiple uses so that parking needs do not overlap and may then modify the total parking requirement to be based on the most intense combination of uses at any one time.
- (4) Where requirements are established on the basis of seats or person capacity, the building regulations provisions applicable at the time of determination shall be used to define capacity.
- (5) Where residential use is conducted together with or accessory to other permitted uses, applicable residential requirements shall apply in addition to other nonresidential requirements, except as provided by Sections 18.52.050 and 18.52.080.
- (6) ~~In addition to the parking requirements outlined in Tables 1 and 2 are inclusive of parking spaces that fulfill accessibility requirements set forth, parking for handicapped persons shall be provided pursuant to the requirements of Section 18.54.030 (Accessible Parking) and consistent with criteria outlined in Title 16 (Building Code) of the Municipal Code in compliance with the Americans with Disabilities Act (ADA).~~
The parking requirements outlined in Tables 1 and 2 are inclusive of parking spaces that fulfill accessibility requirements set forth, parking for handicapped persons shall be provided pursuant to the requirements of Section 18.54.030 (Accessible Parking) and consistent with criteria outlined in Title 16 (Building Code) of the Municipal Code in compliance with the Americans with Disabilities Act (ADA).

(7) A parking space served by EVSE or a parking space designated for future installation of EVSE (EV Ready) shall count as one standard automobile parking space for purposes of the parking requirements outlined in Tables 1 and 2.

(8) A van-accessible parking space or accessible parking space with an adjacent accessible path of travel shall count as at least two standard automobile parking spaces for purposes of the parking requirements outlined in Tables 1 and 2, inclusive of van-accessible parking spaces served by EVSE or designated as EV Ready.

(9) Motorcycle parking shall not count towards the vehicle parking requirements outlined in Tables 1 and 2.

[. . .]

SECTION 5. Section 18.52.045 (Minor Adjustments to Existing Parking Facilities) of Chapter 18.52 (Parking and Loading Requirements) of Title 18 (Zoning) is hereby added as follows:

18.52.045 Minor Adjustments to Existing Parking Facilities

The following minor adjustments may be made to existing parking facilities that are intended to remain in substantially the same form after restriping.

(a) Accessibility and EVSE-related equipment. For sites with existing development, the number on-site parking spaces may be reduced to the minimum extent necessary to: (1) achieve state or federally mandated accessibility requirements or (2) permit installation of electrical utility equipment required for EVSE. A maximum of 10% of the existing automobile parking stalls, or one stall, whichever is greater, may be removed pursuant to this section. The loss of a parking space is not permitted to accommodate EVSE itself. To the extent reasonably feasible, electrical equipment required for EVSE shall be placed in a location that minimizes visibility from the public right of way.

(b) Substitution of bicycle parking. For sites with existing development, where additional bicycle parking facilities cannot reasonably be located outside of the parking facility area, existing automobile parking stalls may be substituted with long- or short-term bicycle parking facilities. The maximum number of substitutions shall be two existing automobile parking spaces, or 10% of the existing automobile parking stalls, whichever is greater. A minimum of four long-term or eight short-term bicycle parking spaces is required per automobile parking space. The bicycle parking spaces are to be located in the same physical location as the automobile spaces they are replacing, which shall be near primary entries of the building on-site or in locations that meet best practices for bicycle parking facilities.

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SECTION 6. Table 4 (Allowable Parking Adjustments) of Section 18.52.050 (Adjustments by the Director) of Chapter 18.52 (Parking and Loading Requirements) of Title 18 (Zoning) is hereby amended as follows:

18.52.050 Adjustments by the Director

[. . .]

**Table 4
Allowable Parking Adjustments**

Purpose of Adjustment	Amount of Adjustment	Maximum Reduction ²
On-Site Employee Amenities	Square footage of commercial or industrial uses to be used for an on-site cafeteria, recreational facility, and/or day care facility, to be provided to employees or their children and not open to the general public, may be exempted from the parking requirements.	100% of requirement for on-site employee amenities
Joint Use (Shared) Parking Facilities	For any site or sites with multiple uses where the application of this chapter requires a total of or more than ten (10) spaces, the total number of spaces otherwise required by application of Table 1 may be reduced when the joint facility will serve all existing, proposed, and potential uses as effectively and conveniently as would separate parking facilities for each use or site. In making such a determination, the director shall consider a parking analysis using criteria developed by the Urban Land Institute (ULI) or similar methodology to estimate the shared parking characteristics of the proposed land uses. The analysis shall employ the city's parking ratios as the basis for the calculation of the base parking requirement and for the determination of parking requirements for individual land uses. The director may also require submittal and approval of a TDM program ¹ to further assure parking reductions are achieved.	20% of total spaces required for the site

NOT YET ADOPTED
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100% Affordable Housing ⁽⁴⁾	Based on maximum anticipated demand; applicant may request up to a 100% reduction in parking.	
Affordable Housing Units and Single Room Occupancy (SRO) Units ⁽³⁾	The total number of spaces required may be reduced for affordable housing and single room occupancy (SRO) units, commensurate with the reduced parking demand created by the housing facility, including for visitors and accessory facilities. The reduction shall consider proximity to transit and support services and the director may require traffic demand management measures ¹ in conjunction with any approval.	<ul style="list-style-type: none"> a. 40% for Extremely Low Income and SRO Units b. 30% for Very Low Income Units c. 20% for Low Income Units
Housing Near Transit Facilities	The total number of spaces required may be reduced for housing located within a designated Pedestrian/Transit Oriented area or elsewhere in immediate proximity to public transportation facilities serving a significant portion of residents, employees, or customers, when such reduction will be commensurate with the reduced parking demand created by the housing facility, including for visitors and accessory facilities, and subject to submittal and approval of a TDM program. ¹	20% of the total spaces required for the site.
Transportation and Parking Alternatives	Where effective alternatives to automobile access are provided, other than those listed above, parking requirements may be reduced to an extent commensurate with the permanence, effectiveness, and the demonstrated reduction of off-street parking demand effectuated by such alternative programs. Examples of such programs may include, but are not limited to, transportation demand management (TDM) programs, or innovative parking pricing or design solutions. ¹ (note: landscape reserve requirement is deleted).	20% of the total spaces required for the site
Combined Parking Adjustments	Parking reductions may be granted for any combination of the above circumstances as prescribed by this chapter, subject to limitations on the combined total reduction allowed.	a. 30% reduction of the total parking demand

		otherwise required b. 40% reduction for affordable housing projects
Modification to Off-Street Loading Requirements	The director may modify the quantity or dimensions of off-street loading requirements for non-residential development based on existing or proposed site conditions; availability of alternative means to address loading and unloading activity; and, upon finding that: 1) the off-street loading requirement may conflict with Comprehensive Plan goals and policies related to site design planning, circulation and access, or urban design principles; and 2) the use of shared on-street loading would not conflict with Comprehensive Plan goals and policies related to site design planning, circulation and access or urban design principles; maximum reduction in one loading space.	One loading space may be waived
<u>Restriping Existing Parking Facilities</u>	<u>Existing parking facilities may be restriped in accordance with applicable provisions of the municipal code. The Director may approve a reduction in the number of required on-site parking spaces to achieve the City’s waste management objectives, make improvements to on-site circulation that would reduce or eliminate a hazard, or bring substandard parking stalls into compliance with current design requirements. This provision applies only to sites with existing structures and existing parking facilities that are intended to remain in substantially the same form after re-striping of the facility.</u>	10% of the total spaces required for the site, or 2 spaces, whichever is greater.

- (1) See Section 18.52.050(d) below regarding requirements for TDM programs.
- (2) No parking reductions may be granted that would result in provision of less than ten (10) parking spaces on site, except for 100% affordable housing projects.

- (3) No parking reductions may be granted for projects that are entitled to the reduced parking standards in Table 1 of Section 18.52.040 for senior housing.
- (4) Applies to 100% affordable housing projects and the residential component of 100% affordable housing mixed-use projects. "100% affordable housing" as used herein means a multiple-family housing project consisting entirely of affordable units, as defined in Section 16.65.020 of this code, available only to households with income levels at or below 120% of the area median income, as defined in Chapter 16.65, except for a building manager's unit.

[. . .]

SECTION 7. Section 18.52.080 (Adjustments to Parking Assessment Area Requirements by the Director) of Chapter 18.52 (Parking and Loading Requirements) of Title 18 (Zoning) is hereby amended as follows:

18.52.080 Adjustments to Parking Assessment Area Requirements by the Director

Automobile parking requirements prescribed in this chapter may be adjusted by the director for properties within parking assessment areas in the following instances and in accord with the prescribed limitations where, in his/her opinion, such adjustment will be in accord with purposes of this chapter and will not create undue impact on existing or potential uses adjoining the site or in the general vicinity. ~~Adjustments shall be made in accordance with the procedures set forth in [Chapter 18.78](#).~~ The decision of the Director regarding parking adjustments may be appealed as set forth in [Chapter 18.78 \(Appeals\)](#)

(a) Tandem Parking

Tandem parking (a multiple parking configuration locating one stall behind another) may be allowed where in the judgment of the director the parking will serve all proposed uses conveniently. The director shall require such covenants and guarantees as deemed necessary to ensure use and maintenance of such parking facilities.

(b) Percentage of Compact Parking Stalls

For parking facilities exceeding five stalls and with architectural review approval prior to June 1, 2007, a maximum of fifty percent compact parking stalls may be allowed. For any project approved subsequent to June 1, 2007, compact parking is not allowed.

(c) Shared Parking Facilities

For any site or sites with multiple uses where joint use of on-site private or nearby public parking facilities can occur without conflict, and the use is exempt from parking

assessment, the total number of spaces otherwise required by application of the schedule may be reduced when the joint facility will serve all existing, proposed, and potential uses as effectively and conveniently as would separate parking facilities for each use or site. In making such a determination, the director shall consider a parking analysis using criteria developed by the Urban Land Institute (ULI) or similar methodology to estimate the shared parking characteristics of the proposed land uses. The analysis shall employ the city's parking ratios as the basis for the calculation of the base parking requirement and for the determination of parking requirements for individual land uses. The number of parking stalls required for any new development or addition may be reduced by no more than twenty percent (20%) of the total number of spaces otherwise required for the site or sites.

(d) Off-Site Parking

Within parking assessment areas, the director may authorize all or a portion of the required parking for a use to be located on a site within the parking assessment area or not more than 500 feet from the boundaries of the parking assessment area, where the zoning of such site permits parking as a use. The director shall require such covenants and guarantees as deemed necessary to ensure use and maintenance of such parking facilities.

(e) Modifications to Off-Street Loading Requirements

The director may modify the quantity or dimensions of off-street loading requirements for non-residential development based on existing or proposed site conditions; availability of alternative means to address loading and unloading activity; and, upon finding that: 1) the off-street loading requirement may conflict with Comprehensive Plan goals and policies related to site design planning, circulation and access, or urban design principles; maximum reduction is one loading space; and 2) and the use of shared on-street loading would not conflict with Comprehensive Plan goals and policies related to site design planning, circulation and access or urban design principles; maximum reduction in one loading space.

(f) Affordable Housing

For 100 percent affordable housing projects, the director may waive up to 100 percent of the parking requirement based on maximum anticipated demand. "100% affordable housing" as used herein means a multiple-family housing project consisting entirely of affordable units, as defined in Section [16.65.020](#) of this code, available only to households with income levels at or below 120 percent of the area median income, as defined in [Chapter 16.65](#), except for a building manager's unit.

(g) Adjustments to Existing Parking Facilities

The Director may approve a reduction in existing on-site parking spaces to achieve the City's waste management objectives, make improvements to on-site circulation that

would reduce or eliminate a hazard, or bring substandard parking stalls into compliance with current design requirements. This provision applies only to sites with existing structures and existing parking facilities that are intended to remain in substantially the same form after re-stripping of the facility. A maximum of 10% of the existing automobile parking stalls, or two stalls, whichever is greater, may be removed pursuant to this section.

SECTION 8. Section 18.54.020 (Vehicle Parking Facilities) of Chapter 18.54 (Parking Facility Design Standards) of Title 18 (Zoning) is hereby amended as follows:

18.54.020 Vehicle Parking Facilities

(a) Parking Facility Design

Parking facilities shall be designed in accordance with the following regulations:

(1) Requirements for dimensions of parking facilities at, above, and below grade are contained in this section and in Figures [1-67](#) and Tables [3-6](#) of Section [18.54.070](#).

(2) Stalls and aisles shall be designed such that columns, walls, or other obstructions do not interfere with normal vehicle parking maneuvers. All required stall and aisle widths shall be designed to be clear of such obstructions.

(3) The required stall widths shown in [Table 3](#) of Section [18.54.070](#) shall be increased by 0.5 foot for any stall located immediately adjacent to a wall, whether on one or both sides. The director may require that the required stall widths be increased by 0.5 foot for any stall located immediately adjacent to a post, where such post limits turning movements into or out of the stall.

(4) For property owners or tenants seeking to install EVSE, the required stall widths shown in [Table 3](#) of Section [18.54.070](#) may be reduced by no more than 18 inches below the code required minimum dimensions in order to accommodate EVSE or associated Electrical Utility equipment. This reduction may be applied to 10% of the total required parking stalls, or two stalls, whichever is greater. The Director may approve a reduction in width for a greater number of stalls through a Director's Adjustment pursuant to Section [18.52.050](#).

~~(4)~~(5) Dead-end aisles shall be avoided to the greatest extent feasible.

~~(5)~~(6) Except for at-grade parking facilities serving a maximum of two dwelling units, all parking facilities shall be set back a sufficient distance from the street

so that vehicles need not back out into or over a public street (not including an alley) or sidewalk.

(b) Off-Street Parking Stalls

(1) Each off-street parking stall shall consist of a rectangular area not less than eight and one-half (8.5) feet wide by seventeen and one-half (17.5) feet long (uni-class stall), or as otherwise prescribed for angled parking by ~~Table 4~~ Table 3 in Section [18.54.070](#).

[. . .]

(5) Each off-street motorcycle parking stall shall consist of a rectangular area not less than five (5) feet wide by ten (10) feet long, as illustrated in Figure 7 of Section 18.54.070.

(c) Off-Street Loading Spaces

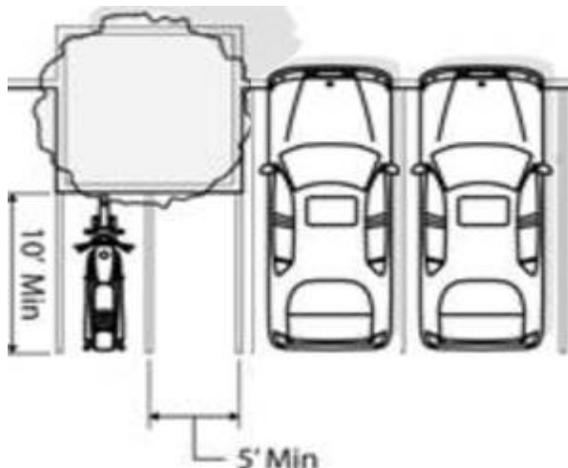
[. . .]

(f) Figures and Tables

Figures 1-~~67~~ and Tables 3-6 are located at the end of this chapter in Section 18.54.070 and depict design requirements for parking stalls, aisles, driveways, accessibility, and parking lots.

SECTION 9. Figure 7 is added to Section 18.54.070 (Parking Design Tables and Figures) of Chapter 18.54 (Parking Facility Design Standards) of Title 18 (Zoning) as follows:

Figure 7
Motorcycle Parking Dimensions



SECTION 10. Section 18.52.070 (Parking Regulations for CD Assessment District) of Chapter 18.52 (Parking and Loading Requirements) of Title 18 (Zoning) is hereby deleted in its entirety and restated as follows:

18.52.070 Parking Regulations for CD Assessment District

With respect to on-site and off-site parking space requirements for nonresidential uses within an assessment district wherein properties are assessed under a Bond Plan G financing pursuant to Title 13, the requirements of this Section [18.52.070](#) shall apply in the CD Assessment district in lieu of comparable requirements in this [Chapter 18.52](#). Requirements for the size and other design criteria for parking spaces shall continue to be governed by the provisions of [Chapter 18.54](#).

(a) On-Site Parking Requirement

Any new development, any addition or enlargement of existing development, or any use of any floor area that has never been assessed under any Bond Plan G financing pursuant to Title 13, shall provide one parking space for each 250 gross square feet of floor area, except as may be exempt from such requirement by the provisions of subsection (b) of this section. The purpose of this subsection is to regulate the number of parking spaces required.

(b) Exceptions to On-Site Parking Requirement

The requirement for on-site parking provided in subsection (a) of this section shall not apply in the following circumstances:

(1) The following square footage shall be exempt from the on-site parking requirement of subsection (a):

(A) Square footage for handicapped access which does not increase the usable floor area, as determined by Section [18.18.060\(e\)](#);

(B) Square footage for at or above grade parking, though such square footage is included in the FAR calculations in Section [18.18.060\(a\)](#).

(2) A conversion to commercial use of a historic building in Categories 1 and 2 shall be exempt from the on-site parking requirement in subsection (a), provided that the building is fifty feet or less in height and has most recently been in residential use. Such conversion, in order to be exempt, shall be done in conjunction with exterior historic rehabilitation approved by the director of planning and community environment upon the recommendation of the architectural review board in consultation with the historic resources board. Such conversion must not eliminate any existing on-site parking.

(3) Vacant parcels shall be exempt from the requirements of subsection (a) of this section at the time when development occurs as provided herein. Such development shall be exempt to the extent of 0.3 parking spaces for every one thousand square feet of site area, provided that such parcels were at some time assessed for parking under a Bond Plan E financing pursuant to [Chapter 13.16](#) or were subject to other ad valorem assessments for parking.

(4) No new parking spaces will be required for a site in conjunction with the development or replacement of the amount of floor area used for nonresidential use equal to the amount of adjusted square footage for the site shown on the engineer's report for fiscal year 1986-87 for the latest Bond Plan G financing for parking acquisition or improvements in that certain area of the city delineated on the map of the University Avenue parking assessment district entitled, "Proposed Boundaries of University Avenue Off-Street Parking Project #75-63 Assessment District, City of Palo Alto, County of Santa Clara, State of California," dated October 30, 1978, and on file with the city clerk. No exemption from parking requirements shall be available where a residential use changes to a nonresidential use, except pursuant to subdivision (b)(2) of this subsection.

(c) Off-Site Parking

Parking required by this chapter may be provided by off-site parking, provided that such off-site parking is within a reasonable distance of the site using it or, if the site is within an assessment district, within a reasonable distance of the assessment district boundary and approved in writing by the director of planning and community environment. The director shall assure that sufficient covenants and guarantees are provided to ensure use and maintenance of such parking facilities, including an enforceable agreement that any development occurring on the site where parking is provided shall not result in a net reduction of parking spaces provided, considering both the parking previously provided and the parking required by the proposed use.

(d) In-Lieu Parking Provisions

In connection with any expansion of the supply of public parking spaces within the CD commercial downtown district, the city shall allocate a number of spaces for use as "in-lieu parking" spaces to allow development to occur on sites which would otherwise be precluded from development due to parking constraints imposed by this chapter. Off-site parking on such sites may be provided by payment of an in-lieu monetary contribution to the city to defray the cost of providing such parking. Contributions for each required parking space shall equal the incremental cost of providing a net new parking space in an assessment district project plus cost for the administration of the program, all as determined pursuant to [Chapter 16.57](#) of Title 16 of this code, by the director, whose decision shall be final. Only sites satisfying one or more of the following

criteria, as determined by the director, shall be eligible to participate in the in-lieu parking program:

- (1) Construction of on-site parking would necessitate destruction or substantial demolition of a designated historic structure;
- (2) The site area is less than ten thousand square feet and it would not be physically feasible to provide the required on-site parking;
- (3) The site is greater than ten thousand square feet, but of such an unusual configuration that it would not be physically feasible to provide the required on-site parking;
- (4) The site is located in an area where city policy precludes curb cuts or otherwise prevents use of the site for on-site parking;
- (5) The site has other physical constraints, such as a high groundwater table, which preclude provision of on-site parking without extraordinary expense.

Office uses above the ground floor shall not be eligible to participate in the in-lieu parking program for one year from the effective date of Ordinance No. 5460, from May 2, 2019 through May 1, 2020.

(e) **Underground Parking**

Underground parking deeper than two levels below grade shall be prohibited unless a soils report or engineering analysis demonstrates that regular pumping of subsurface water will not be required.

(f) Minor Adjustments to Existing Parking Facilities

The following minor adjustments may be made to existing parking facilities that are intended to remain in substantially the same form after restriping.

- (1) Accessibility and EVSE-related equipment. For sites with existing development, the number on-site parking spaces may be reduced to the minimum extent necessary to: (1) achieve state or federally mandated accessibility requirements or (2) permit installation of electrical utility equipment required for EVSE. A maximum of 10% of the existing automobile parking stalls, or one stall, whichever is greater, may be removed pursuant to this section. The loss of a parking space is not permitted to accommodate EVSE itself. To the extent reasonably feasible, electrical equipment required for EVSE shall be placed in a location that minimizes visibility from the public right of way.

(2) Substitution of bicycle parking. For sites with existing development, where additional bicycle parking facilities cannot reasonably be located outside of the parking facility area, existing automobile parking stalls may be substituted with long- or short-term bicycle parking facilities. The maximum number of substitutions shall be two existing automobile parking spaces, or 10% of the existing automobile parking stalls, whichever is greater. A minimum of four long-term or eight short-term bicycle parking spaces is required per automobile parking space. The bicycle parking spaces are to be located in the same physical location as the automobile spaces they are replacing, which shall be near primary entries of the building on-site or in locations that meet best practices for bicycle parking facilities.

SECTION 11. Section 18.18.090 (Parking and Loading) of Chapter 18.18 (Downtown Commercial (CD) District) of Title 18 (Zoning) is hereby deleted in its entirety and restated as follows:

18.18.090 Parking and Loading

The provisions of Chapter 18.52 and 18.54 shall apply within the CD district. In particular, on-site and off-site parking for non-residential uses within an assessment district wherein properties are assessed under a Bond Plan G financing pursuant to Title 13 shall be provided in accordance with Section 18.52.070.

SECTION 12. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

SECTION 13. The City Council determines that adoption of this ordinance is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15301 (Existing Facilities) and 15311 (Accessory Structures) because it regulates the construction or modification of parking facilities.

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SECTION 14. This Ordinance shall be effective on the thirty-first date after the date of its adoption.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

NOT PARTICIPATING:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

APPROVED:

Assistant City Attorney

City Manager

Director of Planning & Development
Services

Attachment B

Code Amendment Comprehensive Plan Consistency

Table 1 summarizes Comprehensive Plan¹ programs and policies that directly support policies for facilitating EVSE installation. Providing more flexibility to retrofit existing parking facilities for EVSE installation will increase the EVSE infrastructure Citywide. Also, providing screening for the associated utility equipment or thoughtfully placing the utility equipment (transformers and switch gears) to minimize their visual intrusion and unsightliness. Both of which are addressed in the proposed code amendments.

Table 1: Comprehensive Plans, Programs, & Policies Supporting EVSE Installation
Electric Vehicle Policies/Programs
Program T-1.3.1: Develop an electric vehicle promotion program that identifies policy and technical issues, barriers, and opportunities to the expansion of electric vehicles
Policy T-1.4: Ensure that electric vehicle charging infrastructure, including infrastructure for charging e-bikes, is available citywide.
Program T-1.4.1: Update the Zoning Code to ensure compatibility with the electric vehicle infrastructure requirements.
Utilities and Infrastructure
Policy L-9.10 Design public infrastructure, including paving, signs, utility structures, parking garages and parking lots to meet high-quality urban design standards and embrace technological advances. Look for opportunities to use art and artists in the design of public infrastructure. Remove or mitigate elements of existing infrastructure that are unsightly or visually disruptive.
Program L9.10.2 Encourage the use of compact and well-designed utility elements, such as transformers, switching devices, backflow preventers, and telecommunications infrastructure. <u>Place these elements in locations that will minimize their visual intrusion.</u>

¹ The Palo Alto Comprehensive Plan is available online: <http://www.cityofpaloalto.org/gov/topics/projects/landuse/compplan.asp>

Table 2 summarizes Comprehensive Plan programs and policies that support increasing personal transportation alternatives to cars, reducing single-occupant vehicle trips, GHG emissions, and reducing VTM. The proposed changes to the Municipal Code related to bicycle parking substitutions for vehicle parking support increasing personal transportation alternatives by providing methods for increased on-site bicycle parking capacity, making bicycling more convenient.

Table 2: Comprehensive Plans, Programs, & Policies Supporting Changes to PAMC 18.52.050
Bicycle Policies/Programs
GOAL T-1: Create a sustainable transportation system, complemented by a mix of land uses, that emphasizes walking, bicycling, use of public transportation and other methods to reduce GHG emissions and the use of single-occupancy motor vehicles.
Policy T-1.1: Take a comprehensive approach to reducing single-occupant vehicle trips by involving those who live, work and shop in Palo Alto in developing strategies that make it easier and more convenient not to drive.
Policy T-1.16 Promote personal transportation vehicles an alternative to cars (e.g. bicycles, skateboards, roller blades) to get to work, school, shopping, recreational facilities and transit stops
Policy T-1.3: Reduce GHG and pollutant emissions associated with transportation by reducing VMT and per-mile emissions through increasing transit options, supporting biking and walking, and the use of zero-emission vehicle technologies to meet City and State goals for GHG reductions by 2030.
Policy T-5.12 To promote bicycle use, increase the number of safe, attractive and well-designed bicycle parking spaces available in the city, including spots for diverse types of bicycle and associated equipment, including bicycle trailers, prioritizing heavily travelled areas such as commercial and retail centers, employment districts, recreational/cultural facilities, multi-modal transit facilities and ride share stops for bicycle parking infrastructure.
Program T-5.12.1 Work with employers, merchants, schools and community service providers, to identify ways to provide more bicycle parking, including e-bike parking with charging stations, near existing shops, services and places of employment.
Policy T-5.7 Require new or redesigned parking lots to optimize pedestrian and bicycle safety.
Program T-5.8.2 Identify incentives to encourage the retrofit of privately owned surface parking areas to incorporate best management practices for stormwater management and urban heat island mitigation as well as incentives for the provision of publicly accessible bicycle parking in privately owned lots.



Planning & Transportation Commission Item #4 Excerpt Minutes

May 27, 2020

Virtual Meeting
6:00 PM

Members present:

Chair Carolyn Templeton

Vice Chair Giselle Roohparvar

Commissioners Michael Alcheck, Bart Hechtman, Ed Lauing, Doria Summa

Absent member: Commissioner William Riggs

4. PUBLIC HEARING. Recommendation on an Ordinance Amending Palo Alto Municipal Code Chapters 18.52 and 18.54 Adjusting Parking Stall Requirements to Facilitate EVSE Installation, Parking Substitutions, Parking Lot Re-striping and Maintenance, Compliance with Accessibility Requirements, State Law AB 1100, and Associated Code Clean Up for Consistency with the Above Changes. Environmental Assessment: Exempt pursuant to California Environmental Quality Act Guidelines Sections 15301, 15302, 15303, and 15061(b)(3). Zone District: Citywide. For More Information Contact the Project Planner Samuel Gutierrez at samuel.gutierrez@cityofpaloalto.org

Chair Templeton: See if I can find the entire title to read unless Ms. French has it handy. I think I found it. Ok, parking adjustments to facilitate EV ES installation, ADA compliance, and restriping is Agenda Item Number Four. Who would... is there someone on Staff who wants to read the full title and do the public hearing part or shall I read it?

Ms. Amy French, Chief Planning Official: Yes, let me introduce Sam Gutierrez. I believe he might have come before Planning Commission before, but perhaps not.

Chair Templeton: He has, welcome back.

Ms. French: Alright, Sam is here to present.

Mr. Sam Gutierrez, Planner: Ok, I believe the Chair requested we read the full title. Should I do that?

Chair Templeton: Only if it's required.

Mr. Gutierrez: I'm not sure.

1
2 Ms. French: I think it's typical that we read that, correct.
3
4 Mr. Albert Yang, Assistant City Attorney: Yeah, it's typical. It's not necessarily required.
5
6 Chair Templeton: Go forth Mr. Gutierrez. Please feel free to read the title and then we will
7 move on.
8
9 Mr. Gutierrez: I will read the full title to keep with the... our standard. So, this is a public
10 hearing, a recommendation on an ordinance amending the Palo Alto Municipal Code Chapters
11 18.52 and 18.54 adjusting Parking Stall Requirements to facilitate EVSE installation, parking
12 substitutions, parking lot re-striping and maintenance and compliance with accessibility
13 requirements, State Law Assembly Bill 1100, and associated code clean up for consistency with
14 the above changes. The environmental assessment is exempt pursuant to the California
15 Environmental Quality Act Guidelines Sections 15301, 15302, 15303, and 15061(b)(3). This
16 would be applicable to the Citywide so it would be applicable in all zoning districts. Ok, I know
17 that was a lot. So, I will move into the Staff presentation right now. One moment while I adjust
18 and share my screen. Ok, so I'm hoping that this displaying correctly for everyone.
19
20 Again, we're presenting today an ordinance that went through four other PTC before to amend
21 primarily (interrupted)
22
23 Chair Templeton: One... I'm sorry, sorry to interrupt. Is anyone else seeing the presentation?
24 I'm not seeing it. So, the share screen didn't work, you may have to work with (interrupted)
25
26 Mr. Gutierrez: Ok, thank you for confirming that.
27
28 Chair Templeton: The host to be permitted. Yeah, sorry about that.
29
30 Mr. Gutierrez: Ok, let's try it again. Is that working now? It looks like it is.
31
32 Chair Templeton: We got it now.
33
34 Mr. Gutierrez: Perfect, thank you for that. So, this is again an ordinance amending PAMC 18.52
35 and 18.54 primarily. These are the parking code sections. Moving into the presentation.
36
37 There's a number of code update items but I do want to give a general overview of tonight's
38 presentation on this item. We are going to go through the code updates and the itemized list
39 which then makes the list or the numbering system in the Staff Report where it goes in greater
40 detail for each item. We'll briefly speak to the timeline overview of how we started this process
41 initially and how did we get to the point that we're at today. And then of course a summary of
42 each of the seven code changes that Staff is proposing and then a recommendation.
43

1 So, moving onto the code update Items One and Two, Item One reduces standard vehicle
2 parking stall dimensions to allow installation of Electric Vehicle Supply Equipment which is
3 commonly referred to as EVSE. These are the charger for electric cars. Update Two re-
4 establishes and updates a prior code to allow extra bike parking to replace required vehicle
5 parking spaces. Three through Seven, moving to Three, establishing language governing
6 motorcycle parking. Four provides local standards for lot re-striping and maintenance and Five
7 brings local code language in compliance with state requirements and the Americans with
8 Disability Act. Number Six enables parking lot retrofits for accessible parking and EVSE utility
9 equipment and Item Seven adjusts codes associated with the proposed changes and provides
10 internal consistency and clarity within in the amendment chapters of the Municipal Code.

11
12 So, a brief timeline overview, initially this all started with a discussion in front of the PTC in
13 March 3rd, 2019 where we brought to the PTC some issues that Staff had been experiencing
14 when dealing with EVSE permitting and installation. And we wanted to see what the feedback
15 from the PTC would be for some possible solution to explore drafting some ordinances to
16 address that. Then on January 29th, 2020 we had another PTC study where Staff actually had
17 some more detailed suggestions for an ordinance possibilities. We wanted to gather the PTC's
18 thoughts, concerns, and feedback on those before we refined a draft ordinance which we are
19 bringing forward to you today. Next steps would be moving to Council should the PTC make a
20 recommendation on the draft ordinance as presented tonight. We do have a tentative date of
21 June 22nd of this year to go before the City Council with this... with these ordinance updates. I
22 do want to remind everyone that some of the code updates that we're proposing are actually
23 to bring us in line with state law and make sure that our code is consistent with state law in
24 terms of EVSE regulations and accessibility compliance.

25
26 So, moving to the first ordinance or code update is the reduction install size for EVSE. So, this is
27 to address an issue that's very common when we're retrofitting for EVSE chargers. The Staff is
28 suggesting that we allow new code or introduce in the code section that allows for minor size
29 reductions. You can see them as an encroachment into the required stall space and this would
30 be for exiting sites. And the reduction install size could be up to 18-inches for these charges, a
31 maximum cap of 10 percent of the required parking stalls or two stalls whichever is greater.
32 And the associated utility equipment that would accompany EVSE chargers such as
33 transformers and switchgear, could also utilize these minor encroachments depending on the
34 parking lot facility design. And here you can see a small image of the example in the green box
35 there. I'm not sure if my curser comes up, the mouse cursor on this screen that I'm sharing.
36 Here you can see an example of an EVSE charger with two cars parked in their standard stalls
37 where the charger itself with the collision protection bollard partially encroaches at the further
38 in corners of the parking stall. Typically, the way the code is written now the... this would result
39 in a loss of space. There is no allowances for these reductions and that's kind of where Staff was
40 going before. And that's the example on the far right where we would have restriped, resulted
41 in a loss of space, create this charger parking area striped area, and upon further review and
42 analysis, we found that if we allowed some minor encroachments after looking at different
43 types of EVSE equipment. That actually it would still work and we wouldn't have to lose an
44 entire parking stall or several depending on how the parking lot would be. And as Staff

1 developed this code amendment we did want to make it as minimal as processor... less process
2 attentive as we could because these are usually just Building Permits that are coming in only to
3 install chargers. So, to minimize processing time and cost to property owners and tenants, we
4 did develop in the manner which would be more ministerial to allow these minor
5 encroachments into the parking stall. Also, the cap and the allowance for a minimum of two,
6 whichever is great, counts for large parking lots and small parking lots as well.

7
8 Moving on to the second code update and change is the bicycle parking substitution for a car
9 space. This allows for more bicycle parking on sites. The substitution would be eight short term
10 bicycle parking or four long term, typically bike lockers, to replace one car parking space. A
11 substitution would be for extra spaces above what the site is required to provide. Per the code
12 each site, depending on the use based on its square footage, is required to provide an X
13 number of bicycle parking spaces. Just like it would automobiles or loading spaces and this
14 substitution would be in excess of that. It would not be a mechanism to achieve that code
15 minimum. And again, we copy the same logic as the previous code update where we account
16 for large lots and small lots by having a cap of 10 percent and a minimum allowance of two.
17 Again, we want to make this less process of intensive and allow for greater bicycle parking
18 capacity. If somebody has retained space that is frequented a lot by the biking community in
19 Palo Alto, we didn't want to make them go through a more intensive process just to put in
20 some extra bike racks. And then we did put in some provisions that it would need to meet best
21 practices for bicycle parking. It would need to be close to the building. This would not be a case
22 where bicycle racks would be far away from the primary entrances of a building; you know far
23 in the back of a parking lot. And this would be of course something that's requested by a tenant
24 or a property owner.

25
26 Number Three, motorcycle parking, so in reviewing different jurisdictions, best practices for
27 EVSE, charger installation, something that Staff continuously came across is the use of
28 motorcycle parking. And then the photo example that you see in this slide you'll see that the
29 motorcycle parking is obviously much smaller. Motorcycle is smaller than the vehicle and it
30 could be used to optimize parking capacity overall in a parking lot where a motorcycle could fit
31 where a standard vehicle or a loading space would not work at all like in the example in the
32 larger photo. [unintelligible] the porkchop area of a parking structure where someone would
33 make that turn to move to the next aisle. A car couldn't park there but now we have
34 motorcycles that could fit there avoiding the situation in the smaller picture where we have a
35 motorcycle, which at maximum can whole two people, take up an entire space where a car that
36 depending on the size of the car or SUV could fit between four and possible eight people
37 wouldn't be the best use of that space. So, we did want to establish this because we found that
38 it could be useful in certain circumstances but the new code does not allow motorcycle parking
39 to be a substitution or counted towards the required parking for a site. It would just be
40 something again to optimize the parking lot as is.

41
42 Moving on to Four, parking lot re-striping and maintenance, this allows for existing facilities to
43 be re-striped for improvements to circulation, meet current parking standards, possibility the
44 City waste management objective for refuse enclosures, and stormwater policies. Often times

1 Staff has encountered sites that have been long-existing, their grandfathered in legal non-
2 conforming and it is a strange situation where we have to continuously approve parking lots
3 that don't have the current code required backup distances or parking stalls or turning radiuses
4 where we could improve circulation overall. So, this allows for some adjustments to be done
5 and possible parking stall loss. As a result, if the end result is improved circulation or we have a
6 location that can actually fit a trash enclosure or a site that's already built out and existing
7 cannot physically fit one and again that ties into the stormwater policies for the City overall.
8 This... because it is more analytical and would need to be reviewed by several departments, we
9 are suggesting this to be a Director's Adjustment because it would vary case by case. There
10 would be different situations and different adjustments needed to maybe achieve some of
11 these goals that we're identifying here. So, this is another avenue to improve just parking lots in
12 general for existing developments with the existing buildings.

13
14 Moving onto Number Five, this is state law compliance for accessible parking and EVSE. Again, I
15 mentioned earlier that some of the code updates are required per state law and we're just
16 aligning with state law and making sure that's reflected in our code. In particular, Assembly Bill
17 1100 regulates how local jurisdictions would count or calculate EVSE and EVSE ready spaces
18 towards the minimum required parking numbers for a site. Aligning with that would make it so
19 that we have a code section that clearly states that EVSE and EVSE ready parking spaces would
20 count toward our parking numbers as one parking space. We've already done this by practice
21 but we wanted to be sure that that was clear in the code. And then the state does require that
22 accessible EV and EV ready spaces do count twice. So, these are your van accessible space or
23 the spaces that have the accessible path of travel adjacent to them. And previously when this
24 was suggested to the PTC, we did suggest for consistency in our we count accessible spaces
25 between the EV and non-EV spaces to align that double-counting, and that seemed to be
26 supported by PTC at the time. So, we are suggesting to have a uniform method for how we
27 calculate accessible parking spaces so there isn't a different standard and possible ambiguity in
28 the code. Again, this is pretty standard, straight forward update and it would make us align with
29 state law.

30
31 Moving on to Number Six, this local code compliance with accessibility requirements and
32 retrofitting EVSE. There's certain circumstances where an existing site might be doing some
33 tenant improvements, only internal, and that triggers a certain threshold. That then they have
34 to require or they're required to update the site in terms of accessibility. That could be a door
35 width or the door pusher to open the door but in particular for parking lots, this often triggers a
36 requirement to bring whatever accessible spaces, be the... an insufficient number of total or
37 dimensionally insufficient, to current standards. Again, this is a state mandate, so Staff has in
38 practice always allowed this to happen. We don't really have an avenue to prevent it as it's
39 required but we did want to formalize that practice in the code. So, this is a part of this allow a
40 minor stall loss as they adjust where perhaps they didn't have a van accessible space and now
41 they have to have one and that extra hash loading area will take up some spaces. So that is now
42 just codified in this suggested code update. And then the other part of this is its Palo Alto
43 utilities' equipment. Earlier I stated that they could take advantage of that minor encroachment
44 but of course, this utility equipment is large. Typically, they take up about a 5-foot by 5-foot

1 space in terms of the physical footprint of the switchgear or transformer that would support
2 the electrical demands of installing these EVSE chargers. And then also the clearances that
3 utilities require to access them and service them. So again, trying to make the process as easy
4 and as simple as possible. We tied another component of this code update to allow for minor
5 stall lots for EVSE utility equipment as shown in that image below where you see these tall
6 cabinets. These are the transformers actually proposed at the Stanford Shopping Center where
7 they have actually more parking than what's required per code and they have the luxury of
8 being able to lose spaces; whereas pretty much everywhere in the City doesn't have the ability
9 because they have an overparked situation. But if they want to install EV chargers, where would
10 these transformers and switchgear go? In some circumstances, you have a building that's built
11 to basically the property line, and then the parking lot is built to the property lines as well.
12 There isn't much-landscaped area, so the only solution would be to place it in a parking space
13 and that would allow EVSE chargers to be installed. So, this kind of addresses the second half of
14 the EVSE charger issue that we run into where we could get the chargers in but then we have
15 problems with the supportive utility equipment for those chargers. So that's the premise of this
16 code update and again, this minimizes process and formalizes current practices. And this allows
17 for additional flexibility associated with EVSE installation and this would only be for existing
18 sites, not for new sites or new development excuse me.

19
20 And finally, we have Number Seven, code clean up. This is for minor changes to the code that
21 provide clarification, definitions associated with some of the code language that we're
22 proposing in this ordinance, and for internal consistency because some of these allowance in
23 stall encroachment or reduction or losses. If we didn't update other sections of the code we'd
24 have a conflict where they say you cannot reduce the size and whatnot. So, this addresses
25 those situations and also, we found in looking at the code there were some areas that
26 presented possible conflict or ambiguity. For example, it would be downtown Parking Code
27 Section 18.18 along with 18.52. So, we wanted to make sure that since we're updating a
28 number of sections related to parking, that we address a lot of these ambiguous points
29 throughout the code. So, we are suggesting some internal revisions for consistency purposes.
30 And again, we wanted to update the code to provide definitions for EVSE for example which is
31 not referenced currently in the 18.52 or 18.54 or motorcycle parking for example. That's also
32 not referenced in the code at all, so we have to create these references and definitions to make
33 it clear and a true code update.

34
35 And the recommendation tonight is the Staff recommends that the Planning and
36 Transportation Commission take the following action. Recommend that the City Council adopt
37 the proposed ordinance and Attachment B amending Title 18 of the Zoning Code Chapter 18.52
38 and 18.54 of the Palo Alto Municipal Code and that concludes Staff's presentation.

39
40 Chair Templeton: Excellent. Thank you, Mr. Gutierrez, for a thorough and detailed and well-
41 organized presentation. So, we have seen this material before so that is... should be helpful to
42 the Commissioners. I would encourage folks who want to speak up to raise your hand. Be
43 prepared to limit your comments to 5-minutes or less if possible. Of course, if you have more
44 we can continue. As far as public comment goes, I don't see any attendees that have signed in

1 for public comment. If you are listening online or on the radio, now would be the time to join
2 the meeting and request to participate in the public comment. So, we'll let that percolate for a
3 movement and then we will move on. I don't see any hands raised, so this is an action item. If
4 you don't have discussion you're welcome to make a motion. I see Commissioner Lauing. So,
5 hold on, before you start Commissioner Lauing, I'm going to close public comment and now you
6 may continue. Thank you.

7
8 Commissioner Lauing: Ok, you can hear me?

9
10 Chair Templeton: We can, yes.

11
12 Commissioner Lauing: Ok, I'm going to stay on message tonight and say this is excellent to get a
13 second reading because the improvements here... I'm not speaking to the ordinance but in
14 terms of the content and the things that you even learned about. That's good because now we
15 have a better thing to recommend to Council. I just have a few very brief questions but
16 otherwise, I'm in total support.

17
18 I just found it curious on the bottom of Page 73 that you couldn't find anybody else that was
19 doing this in all the other territories that you looked at. Was that surprising to you?

20
21 Mr. Gutierrez: A little, yes because some of the other jurisdictions that I looked at and I looked
22 at some locally. The county actually compiled a large report that did an audit of EVSE codes in
23 the Santa Clara County so that was a large research item. And then I spread it out to a couple
24 other Cities that seemed to have similar sustainability goals like the City of Santa Monica for
25 example and there wasn't this allowance for encroachment to parking spaces. I do however
26 should mention that no every jurisdiction requires collision protection for the EVSE chargers
27 whereas our Fire Department does require them along with other jurisdictions locally. So, if the
28 bollards are actually eliminated, it does actually help the situation a bit and doesn't cause much
29 conflict but we do require them. There are legitimate reasons to require that and then that's
30 where we have not just the unit itself but then these extra vertical barriers that cause
31 problems. So, I think it's a little bit more complex.

32
33 Commissioner Lauing: On the bike parking, Page 74, is this... I want... is this for inside and/or
34 outside? The bikes are only for outside.

35
36 Mr. Gutierrez: This would be outside, so this would actually physically take up a parking space.
37 That's...(interrupted)

38
39 Commissioner Lauing: Right but only for outside parking?

40
41 Mr. Gutierrez: Oh, are you referring to a garage parking perhaps?

42
43 Commissioner Lauing: Yeah, I am.

44

1 Mr. Gutierrez: The ordinance doesn't speak specifically to that. It could potentially utilize
2 garage parking if the bicycle parking was near an elevator. Again, mimicking best practices for
3 bicycle parking and then if it is in a garage it's likely to be a bicycle locker which is what's
4 typically allowed in garage parking.

5
6 Commissioner Lauing: If there's any ambiguity there in terms of enforcing it you might want to
7 clarify but that's up to you guys. And is it... does it require either racks or containers, whatever
8 those are called? Bike lockers.

9
10 Mr. Gutierrez: So, it really leaves it a bit more open-ended so it depends on the use. So, for
11 example, a retailer would want racks.

12
13 Commissioner Lauing: Let me make sure you understand my question. Could you leave it with
14 nothing or you have to put something there to designate it as a bike space?

15
16 Mr. Gutierrez: It needs a rack. It would need a rack or a locker, yes.

17
18 Commissioner Lauing: Because otherwise, it could just be a secret parking space.

19
20 Mr. Gutierrez: Right.

21
22 Commissioner Lauing: That's what I was checking on.

23
24 Mr. Gutierrez: Got it.

25
26 Commissioner Lauing: Ok and I think that's it. That's it, thank you.

27
28 Chair Templeton: Thank you very much. I saw Commissioner Summa's hand. Did you still want
29 to talk or was your question addressed?

30
31 Commissioner Summa: Sure, thank you very much. So (interrupted)

32
33 Chair Templeton: Of course.

34
35 Commissioner Summa: Just a few quick questions and one is I know we want to encourage
36 bicycle use, but I really wonder about trading bicycle parking spots for vehicle parking spots.
37 Especially downtown where there are so many different exceptions to vehicle parking that kind
38 of add up and have contributed to the need for parking in the neighborhoods by commuter
39 parkers. So that's my first question and that's about Number Two basically.

40
41 And then Number Three, I was wondering... this is kind of the flip side of bike parking, I was
42 wondering what the need for motorcycle parking was because I'm wondering if there's not
43 more of a need in those little interstitial spaces that aren't big enough for cars in parking

1 structures. If there's not more of a need for bicycle parking, I just don't know how much there...
2 demand there is for motorcycle parking. It's just a question I had thought about.

3
4 And then finally... and the rest of this is great bringing us to speed with state law, thank you.
5 And then on Number Seven which is the downtown code cleanup, there was a mention in the
6 Staff Report that there were a few discrepancies in the two places in the code that deal with
7 downtown. That didn't have to do... I was wondering if just all of the discrepancies had to do
8 with these EVSE issues or if there were other discrepancies? I couldn't quite compare those two
9 places in the code. So just quickly if there are any other areas where there was... there were
10 discrepancies in between... internally in the code between the CD parking rules?

11
12 Mr. Gutierrez: Sure, so in the downtown parking regulation section it basically mimicked what
13 was in 18.52 except that it was worded slightly differently. If you glanced at it you're correct, it
14 would be difficult to see the difference but you'd really have to read it in great detail to really
15 see that they use slightly different verbiage which ran a little conflict. Albert actually found this
16 conflict in the code and suggested that we clean it up. So maybe Albert could speak a little bit
17 more to it.

18
19 Mr. Yang: I can provide a little bit more detail about the areas where there were minor
20 differences between what was in 18.18 and what was in 18.52. One of them was... I'll just go
21 through each one. One of them was where there was a reference... a cross-reference to
22 another part of the code, but just numbers had been mistyped. One of them was where there
23 was a typo where there was a number missing and so the sentence didn't make as much sense.
24 Another section where there was just a difference in wording and one phraseology was clearer
25 than the other so we went with the clearer version. And then, let me see if I can pull this up and
26 I can just share my screen because that's probably the easiest way to go with it.

27
28 Commissioner Summa: So, where I'm going here is because of the sensitivity about parking
29 issues downtown and the concern from a lot of people that there's already a lot of reductions. I
30 just wanted to make sure we're not throwing out a baby in the bathwater. I just want to make
31 sure we're not getting rid of a parking restriction that we need in other words.

32
33 Mr. Yang: I guess I can say going from having two sections saying basically the same thing to
34 one section. We've really just tried to clean up of typos and that sort of issue.

35
36 Commissioner Summa: Ok, that's all I wanted to know. I mean I read it and read it and read it
37 and read it and I thought oh, this word is in a different place here versus there. So, it didn't
38 seem substantive to me so that was my only concern.

39
40 Mr. Gutierrez: Right and then to answer your question about motorcycle parking. Again, that's
41 something that I ended up coming across in researching other jurisdictions and as my... in my
42 time at the Development Center and counter in my early years with the City. This would come
43 up but I would have to tell people there is no... we can't approve this. We don't have... it
44 doesn't exist in our code so essentially, they would have to use a standard parking stall to park

1 motorcycles. Which again isn't the best use of that standard stall so that's why I... we thought it
2 was a good idea to introduce it into the code where we could utilize these leftover areas of
3 parking lots to facilitate a space for smaller motorcycles.

4

5 Commissioner Summa: Yep seems like a good idea. I was... and down the road, if they're not
6 being used by motorcycles I guess we could change it to bikes because (interrupted)

7

8 Mr. Gutierrez: Correct.

9

10 Commissioner Summa: It almost seems like we might have more need for that so thank you
11 very much.

12

13 Mr. Gutierrez: Sure.

14

15 Chair Templeton: Thank you, Commissioner Summa. Commissioner Hechtman.

16

17 Commissioner Hechtman: Thank you and Chair Templeton I will try my best to keep myself to
18 my... to 5-minutes but no promises.

19

20 Chair Templeton: That's all we ask, thank you.

21

22 Commissioner Hechtman: First of all, I want to say I'm guided on this item really by part of the
23 discussion we had earlier tonight about the RPPs and the recognition that every time we lose a
24 parking space in a parking lot. That puts some pressure on whoever would have parked in that
25 space, to park somewhere else and some of those people eventually are going to look for a
26 permit to park in a residence... a residential area. And so, I don't think we should be easily
27 surrendering existing parking spaces. So, looking at the... your seven categories which are tied
28 and I thought the Staff Report really nicely laid things out. Your seven categories are really tied
29 to specific provisions of the new ordinance or the... that you're proposing and so I just want to
30 use your numbering and go through those.

31

32 So, Item One, which is reducing the stalls... the stall size for EVAs [EVSE] 10 percent or two
33 stalls, which is greater. I'm supportive of Staff recommendation there.

34

35 Item Two, the substitute for bike parking which is in 18.52.045 sub B, so this is one we talked
36 about last time. And I gave the effort... the example of the Ross Road YMC which on both sides
37 of the entry has great off parking lot, on-site bike parking. And my question then and is today is
38 why wouldn't we make it a prerequisite for someone who wants to convert an existing car
39 parking space into bike spaces to demonstrate first that there is no place on the property off
40 the parking lot near the entrances that would be equally suitable? And I actually would like that
41 to be a prerequisite to converting an existing space into a space for either four or eight short-
42 term long-term spaces. I'd like to see that language in that subpart.

43

1 Item Three, motorcycle parking, I like the idea of using these little odd areas, but I don't
2 understand why we wouldn't allow some number of paired motorcycle spaces to replace
3 parking spaces. For example, 5 percent of the total spaces or two parking spaces whichever is
4 greater. While I understand that it would be nice, it's possible that automobile parking in the
5 space brought four people. The more realistic scenario is it just brought one and in that one
6 space, we could have two motorcycles that definitionally would have led to at least two people.
7 And so, I don't understand so I would... I don't feel strongly about this, but it seems like we
8 could be promoting fuel efficiency if we would allow some small number of parking spaces to
9 be replaced with two motorcycle spaces.

10
11 Item Four, maintenance of existing parking spaces, now the slide that Sam showed... so the real
12 issue here isn't whether you should re-stripe. Of course, I don't have an issue with that. The
13 issue is whether in re-striping we're going to reduce the number of parking spaces and while
14 the slide that was shown said that it could result in a minor reduction in parking spaces. When
15 you look at the code language that proposed, it's not limited to minor reductions. It's the
16 Director who can reduce the number of parking spaces for the following reasons. And I got no
17 problem with any of those reasons except as I did the last time this idea of making
18 improvements to onsite circulation because I can go to virtually any parking lot and if you let
19 me take out two spaces to widen the drive isle. I will have improved the onsite circulation. So,
20 we basically are giving people potentially a free pass to take away parking spaces under the
21 guise of improving circulation. It's too vague, so last time I had suggested you want to tether
22 that something else, fine, but that hasn't happened. And so, my request would be that we
23 delete that. That is not a justification just to improve on-site circulation. If it can't be connected
24 to something else then my feeling is it's too vague and we'll lose parking spaces where... and
25 these are existing parking lots where circulation has somehow made it this far.

26
27 Item Five, the ADA parking, I'm supportive of that.

28
29 Item Six, the parking lot re-striping, this is really about where EVAs [EVSE?] equipment has no
30 place to go. The language I didn't like here, and I never like is in this Section 18.52.045(a), it says
31 to the maximum extent feasible. To me, that is an undesirable standard because it sets the bar
32 too high. We need people who are making use of our ordinance to act reasonably, not
33 extremely, and so what I'd like to see there to the extent reasonably feasible rather than to the
34 maximum extent feasible.

35
36 And then the last Item Seven, code clean up, in 18.52.080 subpart G, there's this same make
37 improvements to onsite circulation. Again, its parallel code clean up, but to the extent, we
38 change the earlier version of that. I think this one needs to follow suit. Those are my comments.
39 Thank you Staff for a concise report.

40
41 Chair Templeton: Thank you Commissioner Hechtman for speeding through all of that meaty
42 content. I don't want to put you on the spot so it's ok if you don't have an answer for this but
43 on your comments on Item Five. Did you have suggested alternate wording that would provide
44 the restrictions that you're looking for?

1
2 Commissioner Hechtman: Item Five was the ADA parking, I was in agreement with Staff's
3 recommendation. Do you mean (interrupted)

4
5 Chair Templeton: Oh, that was Six and five was one about improving flow. Losing a space if you
6 improve the flow.

7
8 Commissioner Hechtman: Oh, the circulation.

9
10 Chair Templeton: Yes.

11
12 Commissioner Hechtman: My recommendation at this point is just to remove that.

13
14 Chair Templeton: I see.

15
16 Commissioner Hechtman: So, remove the reference in... so this is actually Item Four which is
17 18.52.050 it's... I think it's in Table 4. Make improvements to onsite circulation. My
18 recommendation would be to delete that. Again, I think it's important but it's just going to
19 stand alone it's subject to abuse.

20
21 Chair Templeton: Mr. Gutierrez would you like to speak to this concern. I'd be interested to
22 hear your thoughts on the abuse concern.

23
24 Mr. Gutierrez: Yeah, I'm... as Staff, I'm not quite seeing your concern on it being abused and just
25 eliminating parking because this would be for existing development. This wouldn't be for new
26 and if they have to reduce parking in most cases the property owners and tenants don't want to
27 do that. We're talking about an instance that we know that perhaps there is a problem. The
28 backup distance is very narrow and it causes an issue. So, it would be in a special case and again
29 that's why we suggested a Director's adjustment because it would be analyzed by the Office of
30 Transportation. We found that there is a potential hazard, then that's what we were trying to
31 get at where we could correct that. I Director's adjustment doesn't mean you are automatically
32 granted it. That's where the analysis comes in and if we find that it's not necessary. Yes, it's
33 maybe undersized or a turning radius isn't quite up to par with today's code but it still pencils
34 out from a transportation engineering standpoint. Then we wouldn't grant that in that
35 circumstance.

36
37 Mr. Yang: I guess I'll just add-in, I think that this is something that we can take a closer look at
38 and especially because we do still have that reference in there to allowing this adjustment to
39 bring the lot into compliance with current standards. And so that might actually encompass all
40 the potential circulation improvements that we'd be interested in but we'll take a closer look at
41 it.

42
43 Commissioner Hechtman: Or actually Mr. Gutierrez your reference to eliminating a potential
44 hazard. Even that alone I think would be an improvement, right? Improving onsite circulation as

1 necessary to remove a potential hazard. Something like that, that again it tethers it so the... I
2 think the kind of intent that Staff had.

3

4 Mr. Gutierrez: Understood. I think I understand now.

5

6 Chair Templeton: Alright thank you all who have comments. Raised your hand if you had
7 anything to add to this discussion or if you wish to make a motion. Commissioner Hechtman.

8

9 MOTION

10

11 Commissioner Hechtman: So, I suppose I'll have to put my motion where my mouth is and I will
12 move approval of Staff recommendation with the following revisions. And will it... let me just
13 try to work through it and see if it's clear enough. If not, we can clean it up.

14

15 Chair Templeton: Before you start may I interject and ask Mr. Gutierrez to display the Staff
16 recommendation again on his shared screen. I think that would be helpful, thank you.

17

18 Commissioner Hechtman: Yes.

19

20 Mr. Gutierrez: Yes, one moment. Whoops.

21

22 Commissioner Hechtman: You can go back there, sweetie.

23

24 Mr. Gutierrez: I skipped around. One moment while I pull that up. Here we are.

25

26 Commissioner Hechtman: Ok, are you waiting for me?

27

28 Chair Templeton: Yes, you're on.

29

30 Commissioner Hechtman: Ok, alright, so moving the Staff recommendation with the following
31 revisions regarding Category Two in Section 18.52.045 subpart B, a requirement that the
32 applicant first demonstrates that there is no available area on the property off the parking lot
33 near the... reasonably near the entrance to provide the bicycle parking. And I would leave it to
34 Staff to craft better language to fulfill that purpose. Second change would be in Item Four,
35 18.52.050 Table 4, the language makes improvements to onsite circulation. I would add to that
36 to the extent necessary to reduce a hazardous condition. Item Five is fine. Item Six, which is
37 18.52.045 subpart A, replace maximum extent feasible with the [unintelligible- audio
38 disturbance] reasonably feasible. Subpart G, make the same improvement... sorry, make the
39 same addition to the language make improvements to onsite circulation. And I left out the
40 motorcycle parking, I think it is more complicated... a more complicated issue may be to be
41 taken up sometimes in the future. So that's the motion.

42

43 Chair Templeton: Thank you. Any seconder? I see Commissioner Summa's hand.

44

1 FRIENDLY AMENDMENT

2

3 Commissioner Summa: So, I have a question for the maker of the motion. I... if I would willing
4 second this but I was wondering if you would on Item Two, I won't repeat the code, but if... I
5 would say if you could make it conditional on finding a substitution place rather than... like it
6 wouldn't be allowed to remove parking spots. It would just find... I mean to me sure, they
7 should look for a better space than removing a parking spot because of the paucity of parking
8 spots. But it's kind of weak because it allows them to do it if they can't find another place and in
9 existing buildings and parking lots that's probably not going to be very possible. So, I would
10 second this motion if we can make Number Two stronger.

11

12 Commissioner Hechtman: So, I'm hesitant to do that because I think there will be situation... I
13 want to preserve some flexibility to the Director to make these calls. My idea for this language
14 would be to give the Director guidance as to this first step but there will be situations where I
15 think there won't be a place. And so, then it will be appropriate to move to step two so I would
16 decline that friendly amendment.

17

18 Commissioner Summa: Ok.

19

20 SECOND

21

22 Commissioner Alcheck: I'm happy to second (interrupted)

23

24 Chair Templeton: Thank you for bringing that up.

25

26 Commissioner Alcheck: The amendment... I'm happy to second the motion.

27

28 Chair Templeton: Thank you Commissioner Alcheck. Any other comments?

29

30 Mr. Yang: Can I ask one clarifying question?

31

32 Chair Templeton: Please.

33

34 Mr. Yang: So, Commissioner Hechtman, your last comment suggested to me that if a developer
35 or a property owner were able to show that there were, make that showing. There's no other
36 location on the lot where you could have the bike parking. That you would still want then the
37 next steps to be a discretionary decision by the Director as opposed to a ministerial approval of
38 the substitution. And I just want to confirm that that's the thought.

39

40 Commissioner Hechtman: I'm taking a quick look at the language of that code section in the
41 Staff Report because I wasn't really intending to add more layers to dimension. I thought that
42 this was already in there. Hold on a minute, I'm looking right now.

43

44 Mr. Yang: Ok, yeah, I can clarify, it's currently set up as a ministerial action.

1
2 Commissioner Hechtman: Yeah. So, I'm comfortable (interrupted)

3
4 Chair Templeton: Please share page numbers.

5
6 Commissioner Hechtman: Page... sorry... Packet Page 74, it's the code language towards the
7 bottom of the page and as a practical matter, I think by inserting language along the lines that
8 I've suggested will... it creates a discretionary determination by Staff to see if there is a place or
9 not where things can go. So, I... and I'm comfortable with that.

10
11 Mr. Yang: Great, thank you.

12
13 Commissioner Hechtman: So, no other change.

14
15
16 Chair Templeton: Yeah, I think he was just clarifying and to make sure I understand it. Your
17 adjustment is that if the bicycle parking can be sufficient not in the parking lot itself, that would
18 be ok with you. Is that what you're seeking?

19
20 Commissioner Hechtman: Yes, they have to show that they can't do it outside the parking lot
21 before they can take up a parking space.

22
23 Chair Templeton: Right, ok, yeah ok. I don't see any hands raised. I will speak in favor of this
24 motion. I really appreciate all the work that Mr. Gutierrez has done to tidy things up and
25 incorporation with other members of Staff. So, thank you, everyone, who contributed to this. I
26 think anything we can do to improve more fuel-efficient vehicles being welcome in parking lots,
27 as strange as that may sound, it's good. So, I appreciate this and I'm inclined to support it so
28 thank you. Any other thoughts before we take a vote?

29
30 Mr. Yang: I'm sorry, do we have a second?

31
32 Chair Templeton: We did.

33
34 Mr. Yang: Oh, ok. Sorry.

35
36 Chair Templeton: Commissioner Alcheck.

37
38 Mr. Yang: Sorry I missed that.

39
40 VOTE

41
42 Chair Templeton: No problem. A good thing to check. Alright, let's take a voice vote, please. Mr.
43 Nguyen.

44

1 Mr. Vinh Nguyen, Admin Associate III: Yes, Commissioner Alcheck?
2
3 Commissioner Alcheck: Aye.
4
5 Mr. Nguyen: Commissioner Hechtman?
6
7 Commissioner Hechtman: Aye.
8
9 Mr. Nguyen: Commissioner Lauing?
10
11 Commissioner Lauing: Yes.
12
13 Mr. Nguyen: Vice-Chair Roohparvar?
14
15 Vice-Chair Roohparvar: Aye.
16
17 Mr. Nguyen: Commissioner Summa? Commissioner Summa?
18
19 Commissioner Summa: Sorry, I forgot to unmute, no.
20
21 Mr. Nguyen: And Chair Templeton?
22
23 Chair Templeton: Yes.
24
25 Mr. Nguyen: Ok the motion passes. Thank you.
26
27 MOTION PASSED 5 (Templeton, Roohparvar, Lauing, Alcheck, Hechtman) -1 (Summa)-1 (Riggs
28 absent)
29
30 Chair Templeton: Alright thank you all for a good discussion and we hit our 30-minute target so
31 good job, everybody.
32
33 **Commission Action:** Hechtman moved, Alcheck second. Motion passes 5-1 (Summa against)