



Planning & Transportation Commission Staff Report

From: Planning and Development Services Director
Lead Department: Planning and Development Services

Meeting Date: July 10, 2024
Report #: 2406-3119

TITLE

ACTION/LEGISLATIVE: Continued Discussion and Recommendation on Proposed Amendments to the Palo Alto Municipal Code (PAMC) Title 18 (Zoning) Chapter 18.52 (Parking Regulations) Specific to Implications of Assembly Bill (AB) 2097 (Continued from the May 29, 2024 PTC Public Hearing)

RECOMMENDATION

Staff recommends the Planning and Transportation Commission (PTC) continue its discussion regarding implementation of Assembly Bill 2097, which was reserved from the PTC recommendation on May 29, 2024.

PROJECT DESCRIPTION

The PTC is requested to resume its discussion of proposed amendments to PAMC Section 18.52.040 in response to Assembly Bill 2097, which precludes the City from imposing minimum parking requirements on development projects within one half mile of major transit stops.

The amendment proposed on May 29, 2024 reads as follows:

(d) Residential and mixed-use structures with fifty (50) or more dwelling units shall provide at least one (1) on-site, short-term loading space for passenger vehicles, to be used by taxicabs and similar transportation and delivery services. Where feasible, projects providing no automobile parking pursuant to California Government Code Section 65863.2 shall provide at least one (1) on-site, short-term loading space for passenger vehicles, to be used by taxicabs and similar transportation and delivery services.

The AB 2097 policy considerations raised by the PTC, focused on ways to address the loss of accessible and electric vehicle parking spaces under AB 2097, as well as the provision of short-term loading spaces. To the extent the PTC's discussion of these issues require additional

research or staff resources that impacts Planning and Development Services work programs, staff may seek direction from the City Council.

BACKGROUND

On May 29, 2024, the Planning and Transportation Commission voted to forward the staff recommendation to the City Council for adoption of the draft ordinance, with the exception of item (d) of Section 6, Section 18.52.040. The PTC pulled item (d) from the action on May 29th to enable further PTC consideration. The staff report¹ (link below) includes the draft ordinance. The ordinance the PTC recommended May 29, 2024, would amend Titles 18 and 21 to address or implement provisions of State laws - Senate Bills (SB) SB 684, SB 4, AB 2162, AB 894, AB 970 and AB 2097 (with the exception of the aforementioned parking and loading section the PTC deferred until a later meeting) - and to make several non-substantive revisions.

Regarding Section 18.52.040 item (d), staff reviewed the video recording² to recall information the PTC requested to assist its discussion, but there are missing segments of the recording where recommendations were discussed. Commissioners and staff noted concerns regarding loading spaces, electric vehicle (EV)/accessible (ADA) parking spaces within the AB 2097 areas, and regarding unforeseen consequences related to the 'where feasible' clause stated in item (d). The concern included questions about the demand for loading, EV and ADA parking infrastructure in Downtown and in the California Avenue business district. A question was also raised about charging development projects an in-lieu fee for EV and ADA parking spaces.

The discussion of the proposed 'where feasible' clause included these concerns:

- A need for a definition of 'feasible' to help applicants know how feasible can be met.
- The option to delete 'where feasible' and rely on a Director's Adjustment/Exception process.

The discussion about policy concerns included these concerns:

- The City should ascertain whether the State could consider ADA and EV space requirements as a constraint to production (i.e., if a project has no required parking spaces but is required to provide ADA/EV spaces, the project may need to include driveways and other space-requiring design features that would not otherwise exist).
- The infrastructure in the built-out AB 2097 areas of Downtown and California Avenue district needs to support visitors and shoppers that need ADA spaces in close proximity.

¹ Link to May 29, 2024 PTC report including draft ordinance:

<https://www.cityofpaloalto.org/files/assets/public/v/1/agendas-minutes-reports/agendas-minutes/planning-and-transportation-commission/2024/05.29-ptc-Zoning-Amendments.pdf>

² Link to video recording of May 29 2024 PTC meeting: <https://midpenmedia.org/planning-and-transportation-commission-2-5292024/>

- The Council could consider alternative approaches such as providing limited spaces for certain types of vehicles such as shuttles to drive close to pedestrian zones.
- Electric vehicle spaces could be clustered and farther away from the shopping area, but ADA spaces cannot be farther away.
- Parking structures and alleys could be used to provide loading spaces.
- Larger buildings may need to provide more than one taxicab space, and this requires additional analysis.
- The Director's Adjustment exists for reducing the loading space requirement.

The PTC noted a preference for a continued discussion that would also allow for PTC action to recommend wording modifications to City Council. Staff will be prepared on July 10 to present additional information related to the Downtown and California Avenue existing conditions, additional considerations, and a perspective to assist the PTC in its discussion. The PTC may then continue the discussion to enable staff to provide additional information and/or analysis, unrelated to the Council's August agenda item.

STAKEHOLDER ENGAGEMENT

The outreach for the original ordinance item included the informational report November 8, 2023, and the PTC study session April 24, 2024, where there were no public speakers. There were no public speakers May 29, 2024, on the item. Prior to the Council consideration of this item, Planning staff would have the opportunity to hold discussions with and seek information from staff of the City Manager's Office, Office of Transportation, and Public Works.

ENVIRONMENTAL REVIEW

The draft Ordinance was considered exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that updating the municipal code to incorporate existing requirements of State laws will have a significant effect on the environment, and similarly, there would be no significant effect from the non-substantive clarifications.

ATTACHMENTS

Attachment A: Excerpt - Section 6 of Draft Ordinance Amending Sections of PAMC Titles 18 and Title 21

AUTHOR/TITLE:

Amy French, Chief Planning Official

EXCERPT: SECTION 6 OF MAY 29, 2024 DRAFT ORDINANCE

SECTION 6. Sections 18.52.030 (Basic Parking Regulations), 18.52.040 (Off-Street Parking, Loading and Bicycle Facility Requirements), and 18.52.050 (Adjustments by the Director) of Chapter 18.52 (Parking and Loading Requirements) of Title 18 (Zoning) of the Palo Alto Municipal Code is hereby amended as follows (additions underlined; unchanged text omitted by bracketed ellipses):

18.52.030 Basic Parking Regulations

[. . .]

(i) Transportation Demand Management Plan

(1) Requirement for TDM Plan: A Transportation Demand Management (TDM) Plan to reduce and manage the number of single-occupant motor vehicle trips generated by the project shall be prepared and submitted by the applicant in the following circumstances:

A. For all projects that generate 50 or more net new weekday (AM or PM peak hour) or weekend peak hour trips;

B. For all projects claiming a reduction in net new trips due to proximity to public transit or the implementation of a TDM plan; and

C. For all projects requesting a parking reduction.

D. For all projects with reduced parking pursuant to California Government Code Section 65863.2 (AB 2097, 2022).

(2) The Director shall have the authority to adopt guidelines for preparing TDM plans and when applicable shall coordinate such guidelines with the Transportation Management Association.

18.52.040 Off-Street Parking, Loading and Bicycle Facility Requirements

(a) Parking Requirements

In each district, off-street parking, loading and bicycle facilities for each use shall be provided in accordance with Tables 1 and 2, shown in subsection (c) of this Section 18.52.040. For affordable housing developments qualifying for density bonuses under Chapter 18.15 of the Palo Alto Municipal Code, adjustments to parking requirements will be calculated in accordance with Chapter 18.15. For projects within one-half mile of public transit, as defined in California Government Code Section 65863.2, no automobile parking shall be required, but loading and bicycle parking facilities shall be provided in accordance with this Section. The requirement for any use not specifically listed shall be determined by the director on the basis of requirements

for similar uses, and on the basis of evidence of actual demand created by similar uses in Palo Alto and elsewhere, and such other traffic engineering or planning data as may be available and appropriate to the establishment of a minimum requirement.

[. . .]

(d) Residential and mixed use structures with fifty (50) or more dwelling units shall provide at least one (1) on-site, short-term loading space for passenger vehicles, to be used by taxicabs and similar transportation and delivery services. Where feasible, projects providing no automobile parking pursuant to California Government Code Section 65863.2 shall provide at least one (1) on-site, short-term loading space for passenger vehicles, to be used by taxicabs and similar transportation and delivery services.

[. . .]

18.52.045 Adjustments to Existing Parking Facilities

(a) 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 to accommodate accessibility requirement. ~~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.

[...]

18.52.050 Adjustments by the Director

[. . .]

(e) Shared Parking Agreements

Notwithstanding the limitations set forth in Table 4, subdivision (a), and subdivision (c) of this Section, the Director shall approve a parking adjustment where the applicant meets all of the requirements of California Government Code Section 65683.1, including but not limited to, preparation of a parking analysis and a recorded shared parking agreement.

END OF EXCERPT