

## **AGENDA**

Wednesday, September 22, 2021, 5:00 PM

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## COVID-19 NOTICE – PUBLIC MEETING GUIDELINES

Consistent with Executive Orders No. N-29-20 from the Executive Department of the State of California and the Alameda County Health Officer's Shelter in Place Order effective March 17, 2020, the City Hall will not be open to the public and the City Council will be participating in City Council meetings via phone/video conferencing. The public is invited to watch and submit comments via the methods below:

### How to watch the meeting from home:

1. Meetings are streamed live and recorded on YouTube ([www.YouTube.com/AlbanyKALB](https://www.YouTube.com/AlbanyKALB))
2. To listen to the meeting by phone, please call at the noticed meeting time 1 (669) 900-9128, then enter Webinar ID 979 7011 4482, follow by "#". When asked for a participant id or code, press "#". Instructions on how to join a meeting by phone are available at <https://support.zoom.us/hc/en-us/articles/201362663>
3. To observe the meeting by video conference, please go to [https://zoom.us/s/97970114482](https://zoom.us/j/97970114482) at the noticed meeting time. Instructions on how to join a meeting by video conference is available at <https://support.zoom.us/hc/en-us/articles/201362193%20>
4. Recorded meetings will be available for viewing on City Website within 48 hours after the meeting. <https://www.albanyca.org/recreation/kalb-community-media/city-video-public-meetings>

### How to submit Public Comment:

1. Members of the public may submit comments in writing by emailing the City Council with the Agenda item number clearly identified in the subject line of the email or by mail to City of Albany – Meeting Comments, 1000 San Pablo Avenue, Albany, CA 94706. All written comments received by 5 PM on the day of the meeting will be provided to the City Council and posted on the website. Other written comments received after 5 PM that address an item on the agenda will still be provided to the City Council and be included as part of the meeting record. [citycouncil@albanyca.org](mailto:citycouncil@albanyca.org)
  2. To comment by video conference, click the "Raise Your Hand" button to request to speak when Public Comment is being taken on the Agenda item. You will then be unmuted when it is your turn to make your comment for up to 3 minutes. After the allotted time, you will then be re-muted. Instructions of how to "Raise Your Hand" is available at <https://support.zoom.us/hc/en-us/articles/205566129%0D-Raise-Hand-In-Webinar>
  3. To comment by phone, you will be prompted to "Raise Your Hand" by pressing "\*9" to request to speak when public comment is being taken on the Agenda item. You will then be unmuted when it is your turn to make your comment for up to 3 minutes. You will be re-muted after the allotted time.
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**1-1. San Pablo Avenue Specific Plan-** Receive a presentation on the San Pablo Avenue Specific Plan project regarding revised land use policies and provide feedback on the policies presented or additional ideas generated during the discussion.

**Recommendation:** Receive a presentation and provide feedback on these issues.

**CEQA:** Once draft amendments are prepared, staff will work with a CEQA consultant.

# City of Albany



**TO:** ALBANY PLANNING & ZONING COMMISSION

**FROM:** Jean Eisberg, Lexington Planning  
Anne Hersch, Planning Manager

**SUBJECT:** San Pablo Avenue Specific Plan – Revised Land Use Framework & Policies

**DATE:** September 22, 2021

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## **STAFF RECOMMENDATION**

Staff recommends that the Planning & Zoning Commission hold a study session to:

- Receive a presentation on the San Pablo Avenue Specific Plan project regarding revised land use policies and standards
- Provide feedback on the policies presented or additional ideas generated during the discussion

## **SUMMARY**

The Specific Plan aims to fulfill the General Plan's objective for San Pablo Avenue: to transform the avenue into an attractive, pedestrian-oriented, mixed-use corridor. However, existing zoning standards do not align with this objective nor with the density and height of development common in the East Bay. As a result, the corridor has seen little revitalization since the General Plan was adopted in 2016. The Specific Plan proposes to modify development standards in a way that supports this vision and integrates with nearby lower density residential development.

This report presents a revised framework for the land use section of what will become the Specific Plan, including draft policies and amendments to development standards. These revisions take into account feedback from the Commission at its May 26 and June 23, 2021 meetings.

## **QUESTIONS**

1. Does the Commission support the revised framework to update base development standards rather than implement a bonus density program? (See Attachment #1 rubric.)
2. Does the Commission support requirements for community benefits for projects that are taller and larger than what is currently allowed on the corridor?

## **BACKGROUND**

This section recaps the purpose of the project and the work completed to date.

### **Project Objectives**

The City of Albany was awarded a \$160,000 SB2 grant which is being used for this project. This funding source provides local governments with reimbursement grants and technical assistance to prepare plans and process improvements that achieve the following objectives:

1. Streamline housing approvals;
2. Facilitate housing affordability (particularly for lower- and moderate-income households); and
3. Accelerate housing production.

The Specific Plan aims to fulfill the policy objectives for San Pablo Avenue, as stated in the General Plan Land Use Designation for the corridor, to enable: “a transformation of this corridor from auto-oriented commercial uses to more attractive, pedestrian-oriented, mixed use development.” Although the vision for the corridor is set, existing zoning standards do not align with this objective. For example, while lot coverage and setback regulations are generous, height, FAR, daylight plane, and residential density are limiting redevelopment potential and market viability.

This Specific Plan project will modify zoning standards to meet General Plan goals and Housing Element targets for the corridor, as well as the goals of SB2. Higher intensity and height allowances on the corridor would provide a greater incentive for redevelopment and more units on opportunity sites.

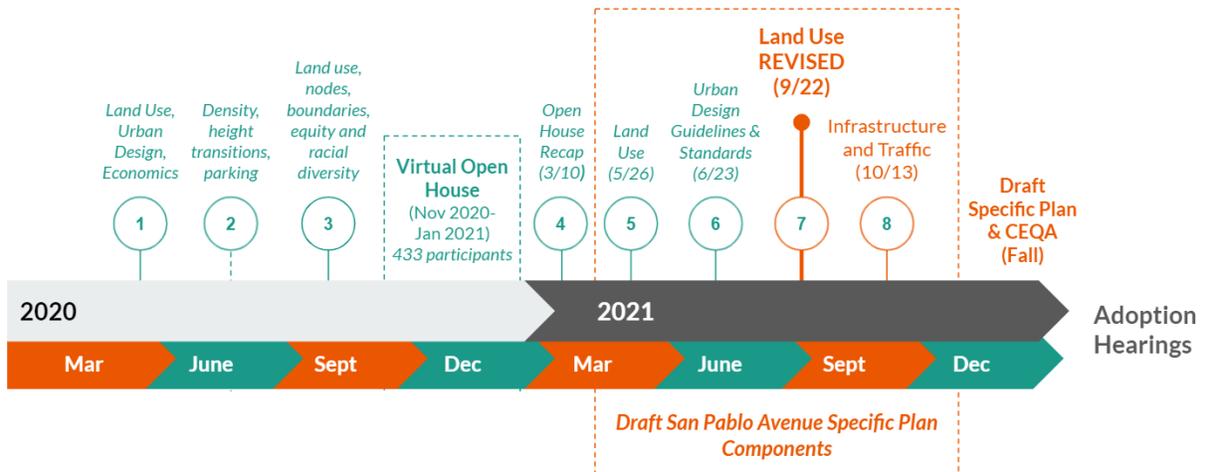
The plan will incorporate ongoing circulation planning work related to the San Pablo Avenue Complete Streets project and the Alameda County Transportation Commission corridor project. Consultants are preparing mobility and infrastructure analyses to determine potential impacts and required improvements, as part of the planning process and review consistent with the California Environmental Quality Act (CEQA).

### **Planning Process & Timeline**

The Planning & Zoning Commission held three study sessions last year to review key aspects of the planning effort, including housing and commercial uses, social equity and inclusion, and effects of height, density, and other parking and development standards. Over the winter, the City held a virtual open house, with 443 participants attending over the course of 2.5 months.

As shown in Figure 1, the project is currently analyzing various components of the Specific Plan. The Commission discussed land use and development standards on May 26, 2021, and an urban design framework on June 23, 2021.

**Figure 1: Project Timeline**



Tonight’s meeting revisits the land use framework. City staff and consultants are still working through transportation and infrastructure topics which will be presented this fall before the Draft Specific Plan and CEQA analysis are completed.

**Commission Feedback from May 26, 2021 Meeting**

The Commission provided feedback on the land use framework during its May 26<sup>th</sup> meeting and expressed the following preferences. Revisions in response to these comments are provided in the right-hand column.

<i>Commissioner Comments</i>	<i>Responses in the Revised Land Use Framework</i>
1. Commissioners generally did not prefer the local density bonus approach and instead preferred to modify base development standards	The revised land use framework recommends modifications to the base district regulations rather than a local density bonus program
2. Commissioners generally preferred continuing to require ground-floor commercial uses along the entire corridor	The revised land use framework recommends requiring ground-floor commercial uses along most the corridor, with specific exceptions (see Policy LU-2)
3. Commissioners were generally supportive of proposed heights, height transitions, and densities	No substantial changes were made to proposed heights and densities
4. Some Commissioners wanted to see higher densities in the R-3 District	The revised land use framework makes modifications to the R-3 only when there is contiguous ownership to SPC parcels
5. Some Commissioners wanted to see new housing spread throughout the city and not just concentrated on the SPA corridor	The Housing Element update will address broader housing policy in the city, including other locations for future housing development

<i>Commissioner Comments</i>	<i>Responses in the Revised Land Use Framework</i>
6. Some Commissioners requested additional economic analysis of the feasibility of the proposed development standards	A local developer and developer consultant will provide feedback on the proposed land use framework at tonight's meeting
7. Commissioners generally supported revised bicycle standards	No substantial changes were made to proposed bicycle standards
8. Commissioners expressed mixed opinions about parking standards	No substantial changes were made to proposed parking standards.
9. Commissioners generally supported revised open space standards	No substantial changes were made to proposed open space standards.

**Parallel Planning Efforts: Housing Element**

The City recently initiated its Housing Element update process. The City has a draft 2023-2031 Regional Housing Needs Assessment (RHNA) allocation of 1,125 dwelling units (vs. 335 units in the 2014-2022 cycle). The City expects to accommodate the majority of the RHNA target on San Pablo Avenue. As a result, the San Pablo Avenue Specific Plan proposes zoning changes necessary to meet the RHNA requirement and facilitate certification of the Housing Element by the Department of Housing and Community Development (HCD). In the absence of changes to the City's zoning standards along San Pablo Avenue, the California Department of Housing and Community Development may not accept the continued use of some of the existing housing opportunity sites along San Pablo Avenue.

**DISCUSSION & ANALYSIS**

**Land Use Framework Overview**

This report presents the revised land use framework for the Specific Plan. The framework includes land use designations, policies for specific uses, and proposed modifications to development standards. The May 26<sup>th</sup> version of the land use strategy used a Local Density Bonus Program framework in order for the City to capture the value of increasing building heights and densities. This revised land use framework incorporates the Commission's feedback to revise base standards instead.

Portions of the land use framework that did not substantively change are documented in Attachment #2. For this reason, land use policy numbering appears out of order in this staff report.

Draft policies are divided into two categories:

1. **Guiding Principles:** Statements of intent that provide the general objectives of the land use framework. Principles will be developed for each topic/chapter of the Specific Plan.

2. **Implementing Policies:** Specific implementation strategies, zoning amendments, and other action-oriented programs to support the guiding principles and plan vision.

## Guiding Principles

The land use framework aims to generate housing at a range of income levels and for a range of household types. The framework seeks to balance the need for development standards that allow for walkable and feasible residential mixed-use development, with building designs that are contextually appropriate and transition to adjacent residential zoning districts. Staff and consultants updated the policies, including the addition of a policy on sustainability, in response to Commission feedback.

1. **Housing Equity and Diversity.** Facilitate housing for a range of income levels and housing types in order to improve socioeconomic and racial equity and inclusion.
2. **Varied Commercial Uses.** Support local- and regional-serving retail and commercial uses accessible to all modes.
3. **Neighborhood Retail Pattern.** Concentrate small-format retail, service, and restaurant development into nodes with a fine-grain pattern of development that supports vibrancy and synergy between commercial uses.
4. **Alternative Modes.** Develop a mix of uses and an expanded residential population that support transit use, biking, and walking.
5. **Sustainability.** Improve livability and community vibrancy, conserve resources, and reduce greenhouse gas emissions through energy efficiency, stormwater management practices, land use and transportation policies that support mixed use walkable development.
6. **Context and Transitions.** Modify development standards to facilitate feasible residential and mixed-use development, while ensuring height and bulk transitions to abutting residential districts.

Implementing policies below in the blue boxes are objective, action-oriented zoning changes to facilitate implementation.

## Uses

The focus of the Specific Plan (and the State funding sources for this project) is housing. However, commercial development on San Pablo Avenue is also essential in terms of vibrancy, shopping, and the sense of place that it provides local residents and regional shoppers. At the same time, ground-floor commercial development is potentially at odds with housing development. It competes for ground-level space, creating challenges for site planning and circulation.

This Specific Plan aims to balance the need for housing and the desire for vibrant ground-floor uses. Based on Commission feedback, Policy LU-2 broadens ground-floor commercial requirements and narrows exceptions to Housing Element sites, affordable housing sites, and other sites, subject to review and approval by the Planning & Zoning Commission.

**Policy LU-2: Revise the SPC zone to support ground-floor commercial uses,** active ground floor designs, and prioritize housing and residential mixed-use development:

- 1) Prohibit new commercial development above the ground-floor on sites identified as housing opportunity sites in the Housing Element.
- 2) Add live/work as an allowed use.
- 3) Require active ground-floor design, regardless of use. (See standards to come in Chapter 3: Urban Design)
- 4) Require ground-floor commercial uses on the San Pablo and Solano Avenue frontages at three nodes:
  - a) North of Clay Street and Brighton Avenue
  - b) At Solano Avenue node
  - c) Between Marin Avenue and Dartmouth Street (east side of San Pablo Avenue)
- 5) Allow ground-floor commercial or common area residential uses (i.e., exclusive of dwelling units) on the San Pablo Avenue frontage, if:
  - a) The site is listed as an opportunity site in the Housing Element (outside of node areas); or
  - b) A project includes 100% below-market rate units (up to 120% of AMI) except for the manager's unit; or
  - c) The site is outside of a node and the Planning & Zoning Commission issues a Conditional Use Permit upon making findings.

## Changes to Development Standards

Table 1 and Policy LU-3 summarize proposed changes to zoning district standards that could be adopted as part of the Specific Plan. A sample of site tests are shown in Figures 2 through 4 for hypothetical projects on a half-block lot and through-lots zoned SPC (i.e., the highest densities feasible). Notably, the proposed changes to FAR, at 3.5 or 4.5 at the nodes, are below what is modeled in these site tests, and therefore would necessitate additional modulation to break down large massing.

The transition between height standards is illustrated in Figure 4. Proposed changes primarily affect the SPC zone; changes proposed to the R-3 zone are limited. The zoning map amendment described in Attachment #2 (unchanged since the May 26<sup>th</sup> review) and the focused changes to the SPC and R-3 standards are intended to respond to the following General Plan policy:

**General Plan Policy LU-3.8: Buffering.** Require buffering of residential uses, particularly along Kains Avenue, Adams Street, and the perpendicular side streets that intersect Solano Avenue, from the potentially adverse impacts created by nearby commercial activities. This should include special setback and daylight plane regulations to be applied where commercial zones abut lower density zones. It may also include special use, design, and noise standards.

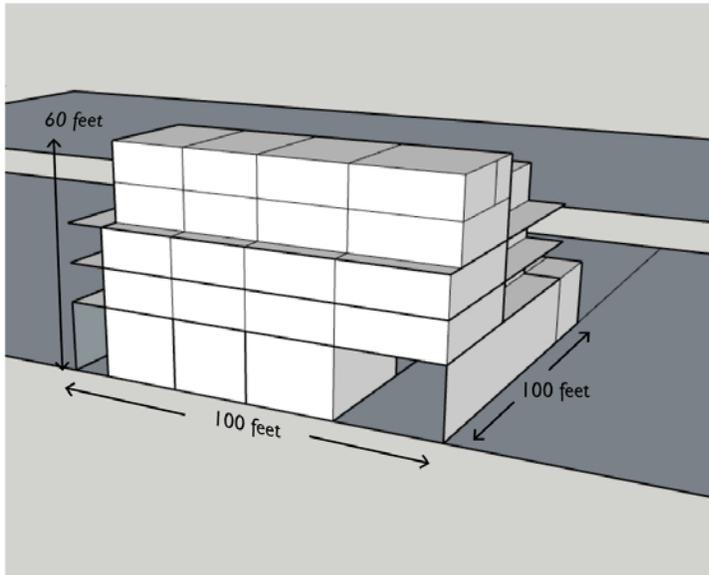
**Table 1: Summary of Existing and Proposed Development Standards for the SPC District**

<i>Standard</i>	<i>Existing SPC Zoning (General Plan)</i>	<i>Proposed Amendments</i>
Building Height		
Standard	38 feet/3 stories	68 feet/6 stories 85 feet/8 stories at node north of Clay/Brighton (i.e., max. for Type III over I)
Abutting R-3 (Daylight Plane)	38/20/12 feet	None (see setback changes)
Residential Density	Minimum: 20 du/acre Maximum: 63 du/acre	Minimum: 30 du/acre Maximum: None
Floor Area Ratio	2.25 (3.0) <sup>a</sup>	3.5 (4.5 at node north of Clay/Brighton)
Setbacks	None, except abutting residential zones, except in overlay areas	None, except refined setbacks in lieu of daylight plane when abutting residential zones
Open Space	200 sq. ft. common open space/unit <sup>b</sup>	100 sq. ft. of common or private open space
Residential Vehicle Parking	1 space /unit	<ul style="list-style-type: none"> <li>• Maintain existing requirement, except:</li> <li>• Reduce by 1 vehicle space for every 10 bike parking spaces provided, by right (instead of P&amp;Z review, currently)</li> <li>• Reduce parking requirement by 20%, if monthly Clipper Card/AC Transit Easy Pass is provided (minimum 1 per unit)</li> </ul>
Residential Bicycle Parking	1 protected bicycle space per residential unit	<ul style="list-style-type: none"> <li>• Require at least 10% of spaces to accommodate long-tail bikes, when more than 20 bike spaces are provided</li> <li>• Require at least 10% of spaces to have electrical sockets accessible to the spaces. Each electrical socket must be accessible to horizontal spaces.</li> </ul>
Use Limitations	Commercial required on ground floor frontage (residential lobby entrance and rear units okay)	<ul style="list-style-type: none"> <li>• Require ground-floor commercial in nodes along San Pablo and Solano Avenues.</li> <li>• Allow residential-only projects for 100% BMR projects, on Housing Element sites (outside of nodes), or with CUP</li> </ul>
Review and Approval Process	Design Review subject to Planning & Zoning Commission review; City Council review for <u>State Density Bonus Law</u> projects	No change

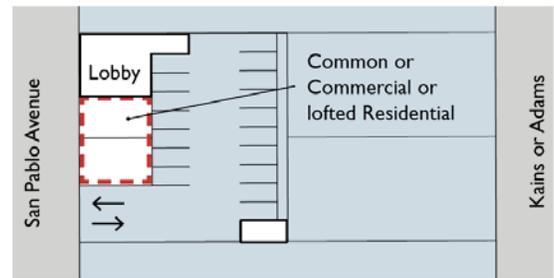
<sup>a</sup> SPC zoning district identifies a maximum FAR of 2.25 (max. 1.3 residential; max. 0.95 commercial); the General Plan states that bonuses up to 3.0 FAR may be provided through zoning

<sup>b</sup> Except that each square foot of private usable open space, up to a maximum of 100 sq. ft. for each individual unit, may be substituted for 2 sq. ft. of the common requirement

Figure 2: Site Test for SPC Half-Block (50 feet/4 Stories)

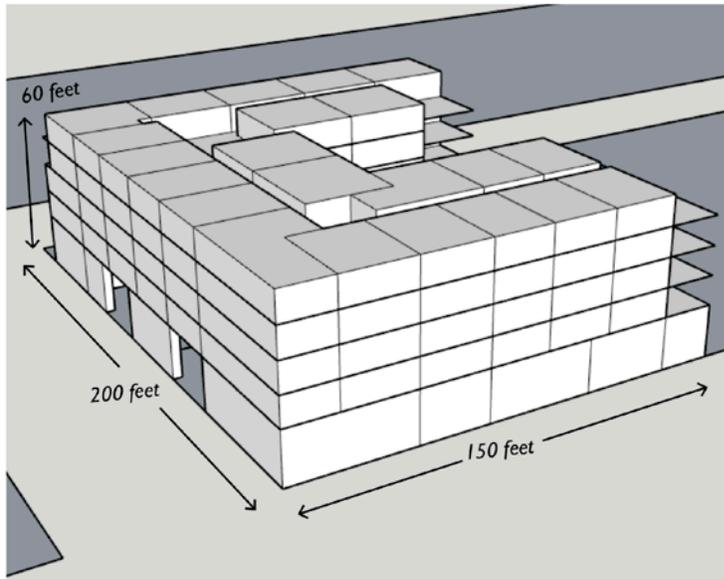


Building Height: 50 feet, 4 stories  
 Unit Count: 24 units (average 800 sf/unit)  
 Affordable: 4 units  
 Density: 105 du/ac  
 FAR: 2.75 FAR

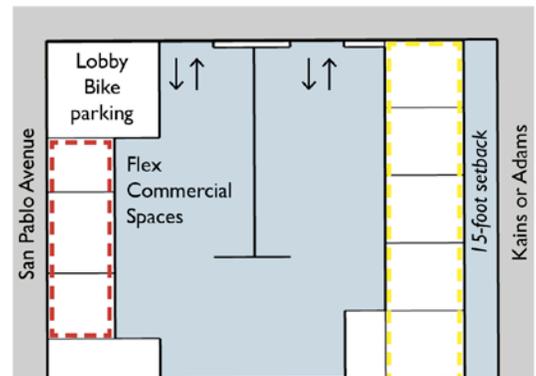


Parking Required: 24 spaces  
 Parking Provided: 16 at grade, 8 lifts

Figure 3: Site Test for SPC Through-Block (60 feet/5 Stories)

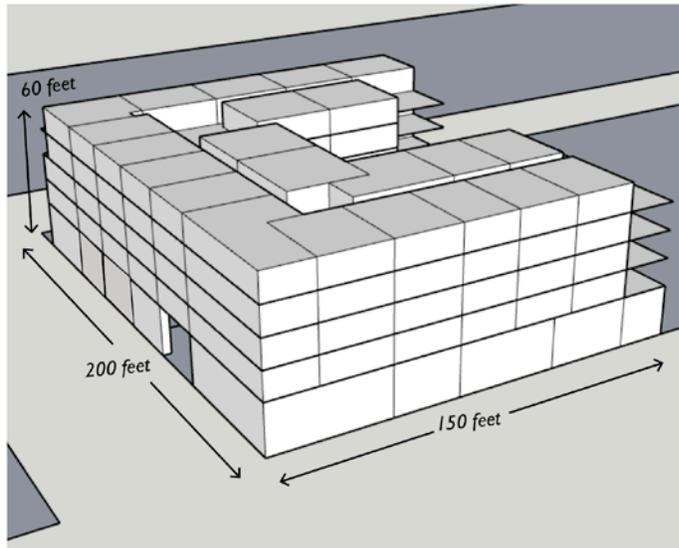


Building Height: 60 feet, 5 stories  
 Unit Count: 93 units (average 800 sf/unit)  
 Affordable: 14 units  
 Density: 135 du/ac  
 FAR: 4.2 FAR

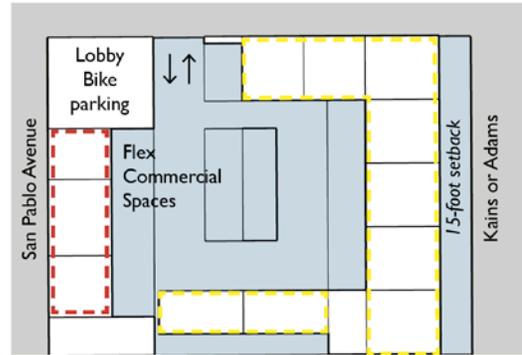


Parking Required: 98 spaces  
 Parking Provided: 59 at grade, 39 lifts

Figure 4: Site Test for SPC Through-Block (60 feet/5 Stories and 0.5 parking space/unit)

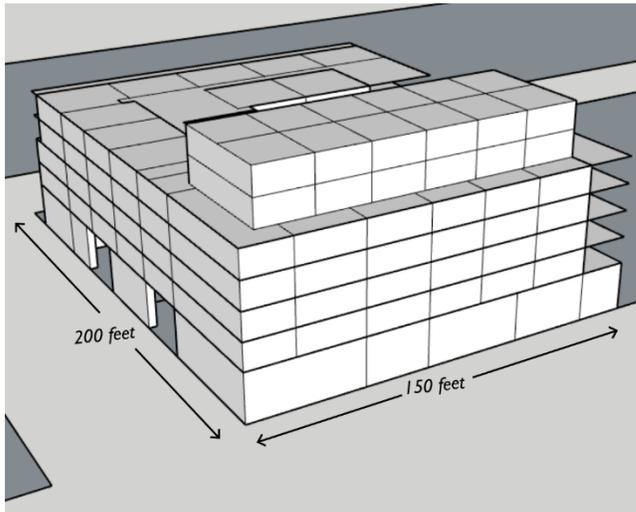


Building Height: 60 feet, 5 stories  
 Unit Count: 97 units (average 800 sf/unit)  
 Affordable: 15 units (15%)  
 Density: 141 du/ac  
 FAR 4.2 FAR

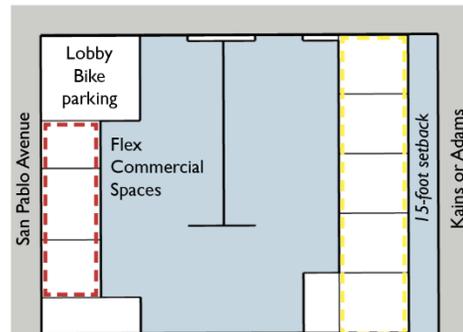


Parking Required: 49 spaces (0.5 per unit)  
 Parking Provided: 30 at grade, 19 lifts

Figure 5: Site Test for SPC Through-Block (80 feet/7 Stories)

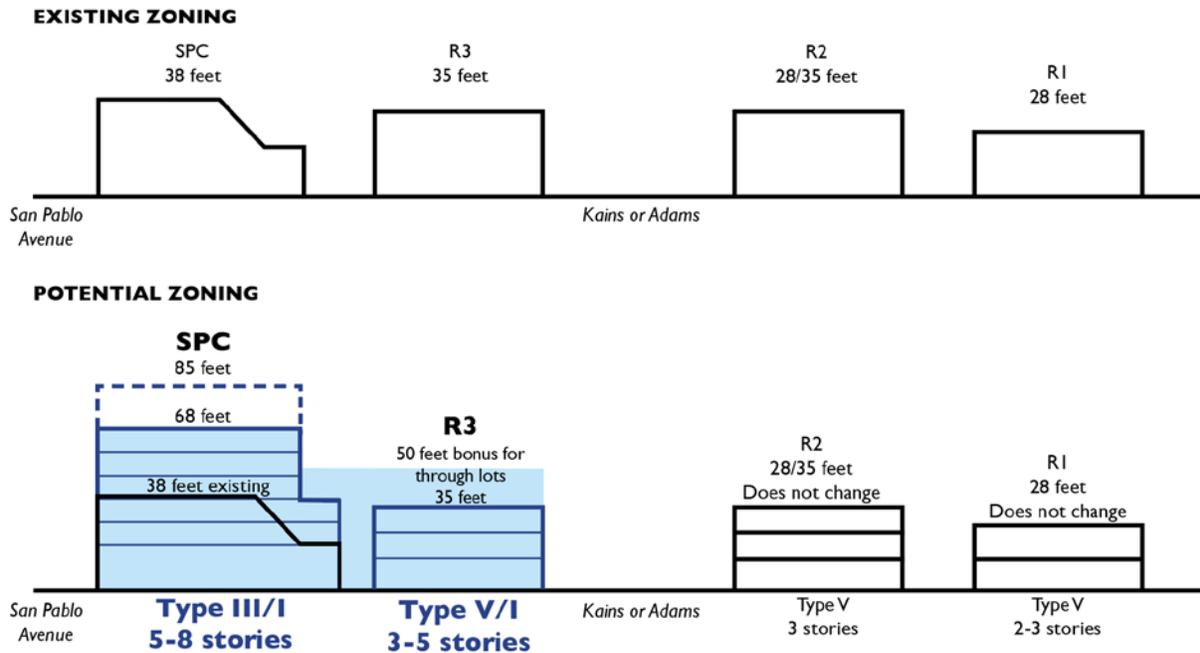


Building Height: 80 feet, 7 stories  
 Unit Count: 105 units (ave. 800 sf/unit)  
 Affordable: 16 units  
 Density: 152 du/ac  
 FAR 4.7 FAR



Parking Required: 111 spaces  
 Parking Provided: 59 at grade, 52 lifts

Figure 4: Illustration of Existing and Proposed Heights



**Policy LU-3: Modify SPC and R-3 zoning district standards** as follows:

- 1) **SPC Height:** Allow an additional 30-40 feet (3-4 stories) in building height in the SPC district. Increase potential heights from 38 feet (3 stories) to 68 feet (6 stories) along the corridor. Except, allow up to 85 feet (8 stories) on SPC-zoned through-lots and in the northern node at Brighton Avenue/the City border if community benefit thresholds are met (see Policy LU-4).
- 2) **SPC FAR:** Allow additional floor area ratio (FAR) in the SPC zone, increasing density from 2.25 FAR for residential mixed-use development to 3.5. Allow up to 4.5 FAR on SPC-zoned through-lots and in the northern node at Brighton Avenue/the City border if community benefit thresholds are met (see Policy LU-4).
- 3) **R-3 High Density Residential Height & FAR (Through-Lots):** Provide an incentive for lot consolidation for contiguously-owned through-lots (i.e., that extend from San Pablo Avenue to Kains Avenue or Adams Street):
  - a) Allow an additional 15 feet in building height in the R-3 district component of the project, increasing potential heights from 35 feet (3 stories) to 50 feet (5 stories).
  - b) Allow an increase in density from 1.5 FAR to 2.0 in the R-3 district.
- 4) **Residential Density (Minimum Only):** Eliminate maximum residential density requirements in the SPC and R-3 zones, but maintain minimum densities for new construction of 30 du/ac and 20 du/ac, respectively (ADUs may count toward calculating residential densities). For the purposes of determining residential capacity yield for the Housing Element or other regulatory requirements, the City may use a combination of FAR and average unit size (based on unit sizes in recent projects in Albany and neighboring cities), or similar proxy.

- 5) Setback as Height Transition: Eliminate the daylight plane requirements in the SPC and R-3 High Density Residential zones. To provide transitions to residential districts, establish a height transition requirement based on setbacks and height:
  - a) On SPC-zoned sites abutting R-3 High Density Residential zones or other residential zones:
    - i) At the rear yard, require a rear yard minimum of 10 feet. Above the third story and no greater than 38 feet above grade (i.e., similar to maximum height in the R-3 district), require a minimum 20-foot stepback from the property line.
    - ii) At the side yard (or rear yard if building fronts on side street perpendicular to San Pablo Avenue), require an interior side yard minimum of 5 feet.
  - b) On SPC-zoned across the street from R-3, R-2, or other residential zones, continue to require a 15-foot setback. Replace the front yard daylight plane with a minimum 20-foot stepback from the property line, above 38 feet in height.
- 6) Usable Open Space: Allow reductions in the usable open space requirement in the SPC and R-3 zones to improve development viability, match the provision of open space to the needs of residents:
  - a) Reduce requirement from 200 square feet per unit to 100 square feet per unit, whether provided as private open space or common open space.
  - b) Allow on-site publicly-accessible open space to satisfy up to 50% of the open space requirement, except within the Solano Avenue node, where it may satisfy up to 100%.
- 7) Additional Modifications: The Planning & Zoning Commission may approve additional modifications to the development standards described above, and any other development standards and parking requirements with the making of findings (TBD).

### Community Benefits/Objective Standards

To capture the value that the City is providing to private property owners in the form of rezoning, this section identifies a series of required community benefits. The benefits scale as the amount of height and FAR increases. Possible benefits relate to affordable housing, open space, sustainability, transportation improvements, and public art, as proposed in Policy LU-4. This menu of benefits would be adopted by resolution so that they can be more easily adjusted as priorities change over time and based on the effectiveness of the program.

**Policy LU-4: Require additional community benefits** for all projects that exceed certain thresholds of building height and FAR. Projects that exceed 68 feet and 3.5 FAR would be required to provide an additional layer of benefits:

- 1) Projects that exceed 38 feet in height (but not 68 feet), and/or exceed 2.25 FAR (but not 3.5 FAR) (i.e., existing standards) are required to:
  - a) Increase the below-market rate unit requirement from 15% to 20%, split between low and very-low income units (or fee in-lieu for ownership), **or**
  - b) Provide one amenity from List A **or**
  - c) Provide two amenities from List B.

- 2) Projects that exceed 68 feet and 3.5 FAR are required to:
- a) Increase the below-market rate unit requirement from 15% to 20%, split between low and very-low income units (or fee in-lieu for ownership), **and**
  - b) Provide one amenity from List A **or** two amenities from List B.

Community Benefit List A (“Big Ticket” Items)

- a) Publicly-accessible open space (e.g., plazas) equal to at least 1,500 square feet of 10% of the lot area, whichever is greater.
- b) Ground-floor commercial tenant space greater than 10,000 square feet
- c) Mid-block pedestrian connection on through-lots that extends from San Pablo Avenue to Adams or Kains
- d) Design and construction of site-appropriate bicycle, transit and pedestrian facilities in the adjacent public right-of-way (e.g., bus shelter, on-street bike facility, planned crosswalk)

Community Benefit List B

- a) On-site public art (may not be satisfied with an in-lieu fee), consistent with the City’s Art in Public Places Ordinance.
- b) Family-Friendly Housing, with at least 20% of units designed with 3+ bedrooms.
- c) All electric construction
- d) Installation of on-site photovoltaic or solar hot-water panels, equivalent to powering 5% of building load.
- e) EV-ready charging for all off-street project parking spaces

*Note: Amenity list should be adopted by resolution so that it may be updated from time to time by the Planning & Zoning Commission and/or City Council.*

Effects of State Density Bonus Program

Table 3 compares the current (and proposed) SPC base zoning to State Density Bonus Law. State law generally allows more flexibility in terms of height, density, and parking standards, and limits the City’s discretion to deny modifications to development standards in the form of waivers. Although taller heights are possible with State Density Bonus law, they are unlikely to exceed much beyond 6-8 stories, given the change in construction type above those levels.

**Table 3: Comparison of Proposed Changes and Options Under State Density Bonus Law**

<i>Standard</i>	<i>Existing SPC Zoning</i>	<i>Proposed SPC Zoning</i>	<i>State Density Bonus</i>
Building Height			
Standard	38 feet/3 stories	68 feet/6 stories 85 feet/8 stories at node north of Clay/Brighton (i.e., max. for Type III over I)	No limit, but likely 78-85 feet/7-8 stories
Abutting R-3 (Daylight Plane)	38/20/12 feet	None (see setback changes)	No limit. Could be 48+’ with waiver.

<i>Standard</i>	<i>Existing SPC Zoning</i>	<i>Proposed SPC Zoning</i>	<i>State Density Bonus</i>
Max. Residential Density	63 du/acre	Minimum: 30 du/acre Maximum: None	No limit.
Floor Area Ratio	2.25 (3.0 General Plan)	3.5 (4.5 within northern node)	35% bonus = 4.7 (5.25)
Setbacks	None, except abutting residential zones	None, except refined setbacks in lieu of daylight plane when abutting residential zones	None, with waiver.
Open Space	200 sq. ft. common open space/unit	100 sq. ft. of common or private open space	No limit. Reduction with waiver/concession.
Residential Vehicle Parking	1 space /unit	1 space /unit (by right and discretionary reductions available down to 0.5 spaces/unit)	0.5 spaces/unit (within ½ mile of major transit, i.e., entire planning area)
Use Limitations	Ground floor commercial required	Ground floor commercial required except if 100% BMR, Housing Element site, or with CUP	Could be residential-only with concession request
Review and Approval Process	Design Review subject to Planning & Zoning Commission review	Design Review subject to Planning & Zoning Commission review	Design Review subject to P&Z Commission review (however, discretion on waivers is limited); City Council review for Density Bonus component
Prototypical Project, 10,000 sq. ft. site	15 du (3 BMR)	68 feet/6 stories: 42 units (6 BMR @15%)	35% bonus: 78 feet/7 stories: 56 units (6 BMR @15% of base)

### **NEXT STEPS**

The team will return to the Commission this fall to review infrastructure and transportation/traffic impacts. City staff and consultants will revise the land use framework and policies based on feedback from the Commission and community members and incorporate the revised standards into the draft Specific Plan for public review.

### **ATTACHMENTS**

- 1) Decision-Making Rubric
- 2) Unchanged Elements of the Land Use Framework Since May 26, 2021

## Attachment #1: Decision-Making Rubric

### Options for Amendments

<i>Standard</i>	<i>Existing SPC Zoning (General Plan)</i>	<i>Proposed Amendments (Summary of Table 1)</i>	<i>Other Options</i>
Building Height	38 ft/3 stories	68 ft/6 stories 85 ft/8 stories at north node	58 ft/5 stories
SPC/R-3 Height Transition	Daylight Plane	Setbacks & New Upper Story Stepback	?
Residential Density	Minimum: 20 du/acre Maximum: 63 du/acre	Minimum: 30 du/acre Maximum: None	?
Floor Area Ratio	2.25 (3.0)	3.5 (4.5 at northern node)	4.0 (4.5 at northern node)
Open Space	200 sq. ft. common open space/unit	100 sq. ft. of common or private open space	80 sq. ft. of common or private open space
Residential Vehicle Parking	1 space /unit	1 space/unit, except allow by right reductions for bike parking and/or transit incentives	0.5 spaces/unit
Residential Bicycle Parking	1 protected bicycle space per residential unit	1 space/unit, plus new long-tail bike and electric bike socket requirements	?
Use Limitations	Commercial required on ground floor frontage (residential lobby entrance and rear units okay)	Require ground-floor commercial in nodes. Allow residential-only projects for 100% BMR projects, on Housing Element sites (outside of nodes), or with CUP	?
Community Benefits	15% Affordable Housing	15-20% Affordable Housing and/or Transportation, Sustainability, and/or Public Art Improvements	?

## **Attachment #2: Unchanged Elements of Land Use Framework**

The following aspects of the land use framework were generally supported by the Commission and have not been substantively changed since the Commission's review of May 26, 2021.

### **Land Use Designations**

Land use is regulated by designations in the General Plan and district standards in the Zoning Ordinance. With the exception of UC Village, the San Pablo Mixed Use and High Density Residential General Plan land use designation correspond to the San Pablo Commercial and High-Density Residential Zoning Districts, respectively. These designations and zones are illustrated in Figures 1 and 2.

The Specific Plan does not propose another layer of land use designations. This is because the General Plan land use designations and Zoning district purposes already convey the intended direction of the plan efforts. The framework does propose zoning map amendments from SPC to the High Density Residential (R-3) on the parcels fronting Kains Avenue south of Washington Avenue, and the related General Plan map amendments (see inset maps on Figures 1 and 2). This is to allow for additional development opportunities on parking lots, including the parcel occupied by Mechanics Bank, on a block that is adjacent to Solano Avenue and already occupied by 2- and 3-story homes and apartments.

As a result of community and Commission feedback on design guidelines and design standards, the Specific Plan may recommend map and text and map changes to the overlay districts in the Zoning Ordinance (e.g., Planned Residential Commercial Overlay). Additional General Plan and Zoning amendments will be prepared, along with the Draft Plan, later this year.

Figure 1: General Plan Land Use Designations and Overlays (Existing and Proposed)

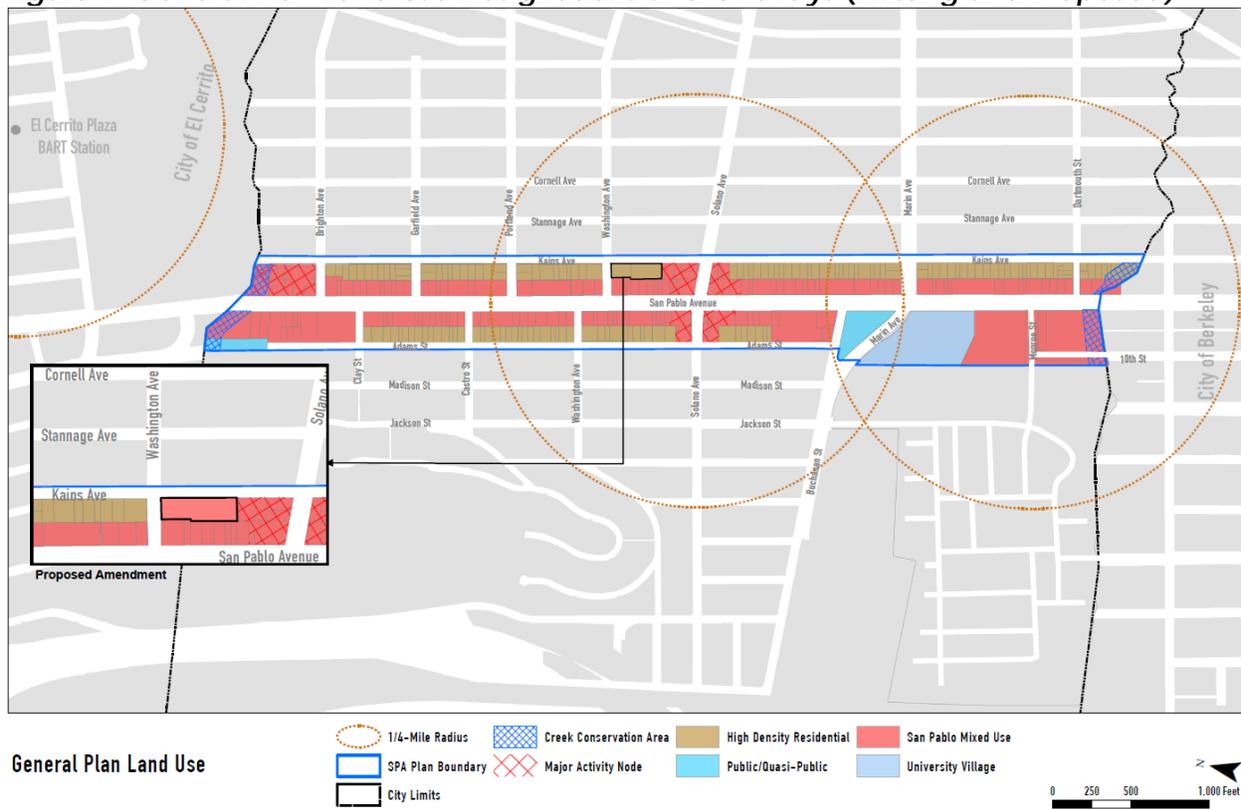
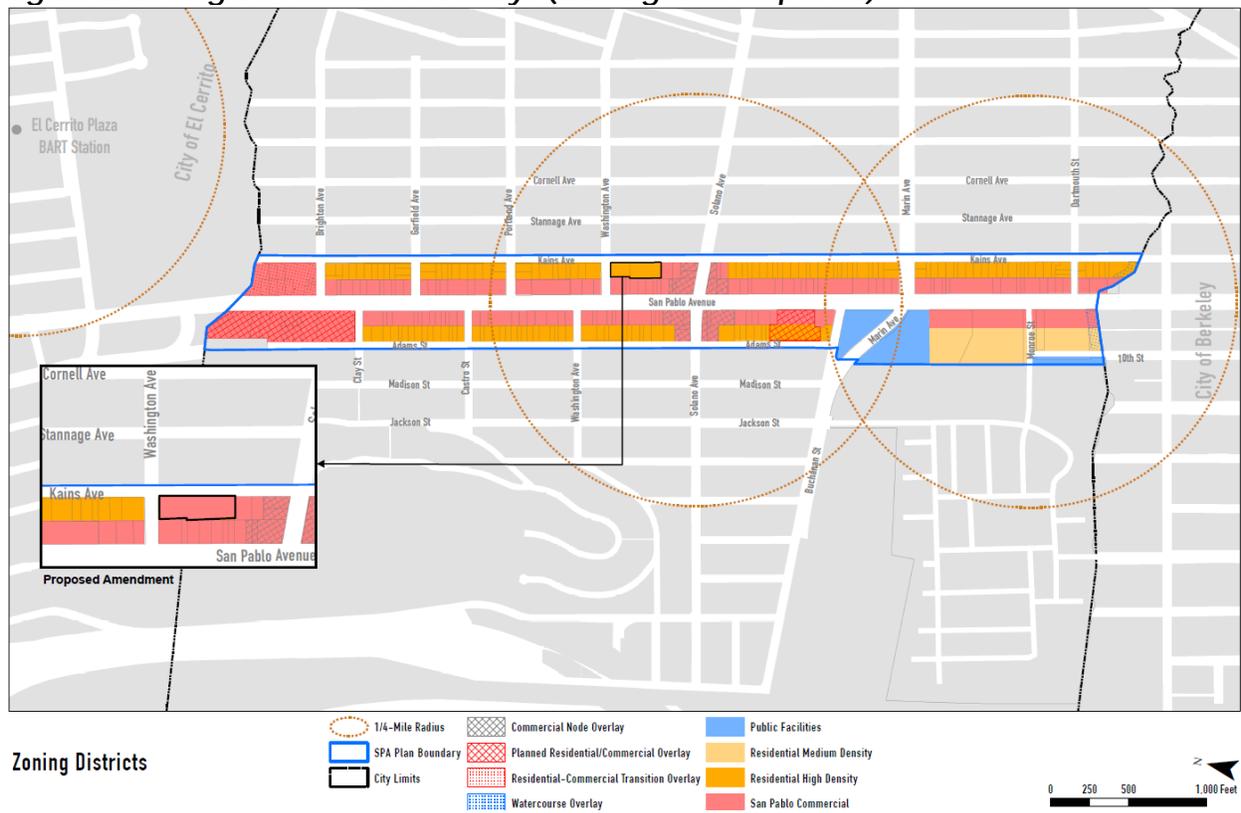


Figure 2: Zoning Districts and Overlays (Existing and Proposed)

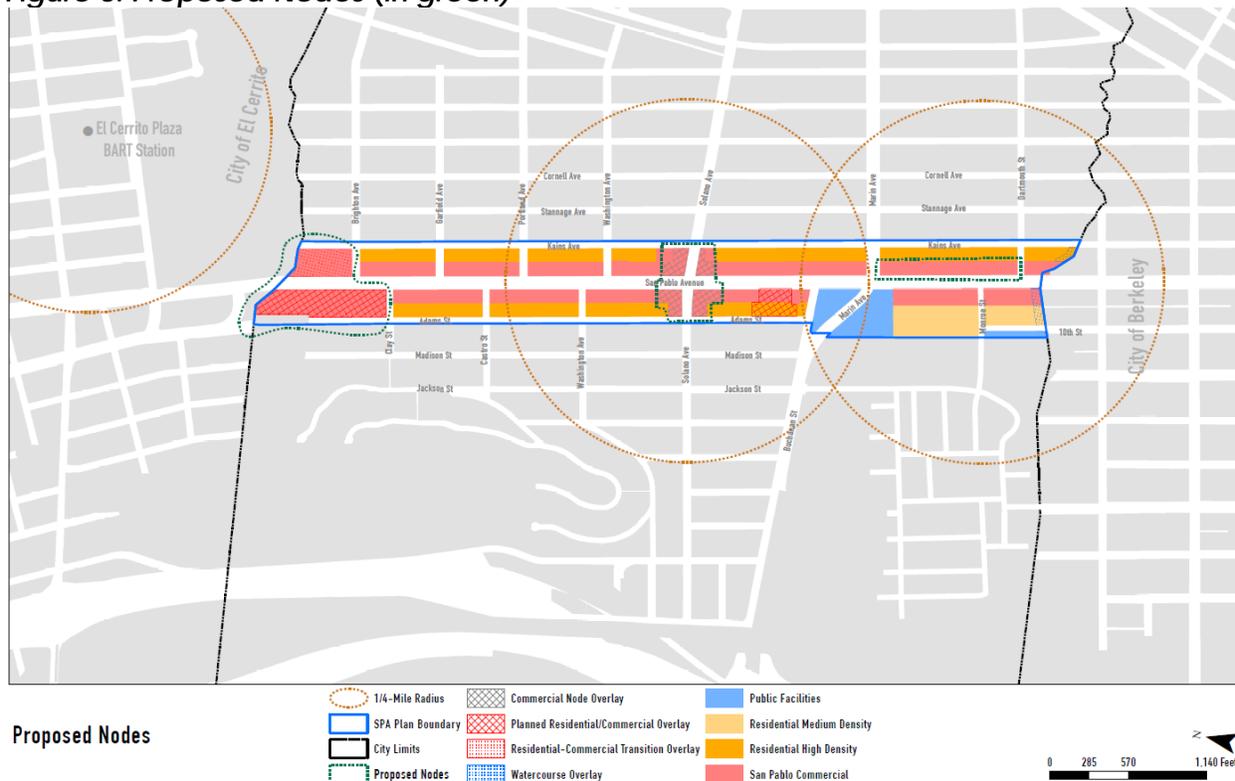


## Uses/Nodes

The plan aims to concentrate retail uses within key “nodes” and enable a fine-grain pattern of stores within these walkable locations. These nodes would concentrate retail activity to the benefit of retailers in the form of synergies as customers visit multiple shops and for the benefit of customers who can complete multiple errands or activities.

- 1) At the **north end of the corridor**, north of Clay Street and Brighton Avenue to take advantage of large site sizes, the proximity to El Cerrito Plaza and related retail on San Pablo Avenue.
- 2) **At Solano Avenue** (both the San Pablo Avenue and Solano Avenue frontages) to complement the existing pattern of small-format retail.
- 3) On the east side of San Pablo Avenue, **between Marin Avenue and Dartmouth Street**, to complement the UC Village retail, and the large concentration of residents in existing apartments and at UC Village (existing and planned units).

**Figure 3: Proposed Nodes (in green)**



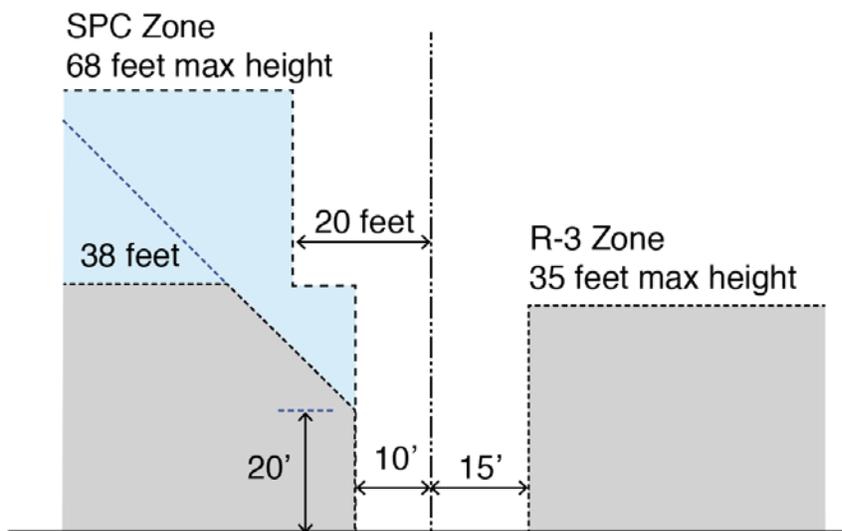
**Policy LU-1: Establish three “nodes” to support placemaking:** north of Clay Street/Brighton Avenue, at Solano Avenue, and between Marin Avenue and Dartmouth Street (east side of San Pablo), as shown in Figure 3. In these locations, ground-floor commercial is required and iconic architectural features and public art is encouraged. In the node north of Clay/Brighton, taller building heights and higher densities are permitted.

## Height Transitions: Setbacks/Stepbacks

The land use framework proposes to replace the daylight plane requirement with an upper story stepback to allow more developable area on the first 3 stories, with allowances for light and air breaks on upper levels. As a building in the SPC district gets taller, the daylight plane would extend so deeply into a 68-foot building, it would render the project physically infeasible, as shown in Figure 4. Instead, Policy LU-3 (above) proposes setback requirements that aim to preserve buildable area and provide for light access to adjacent properties.

A 10-foot rear yard setback would also be required. Above 38 feet (typically 3 stories and similar to the height of the R-3 High Density Residential District) a new 20-foot stepback would be required, as shown in Figure 4.

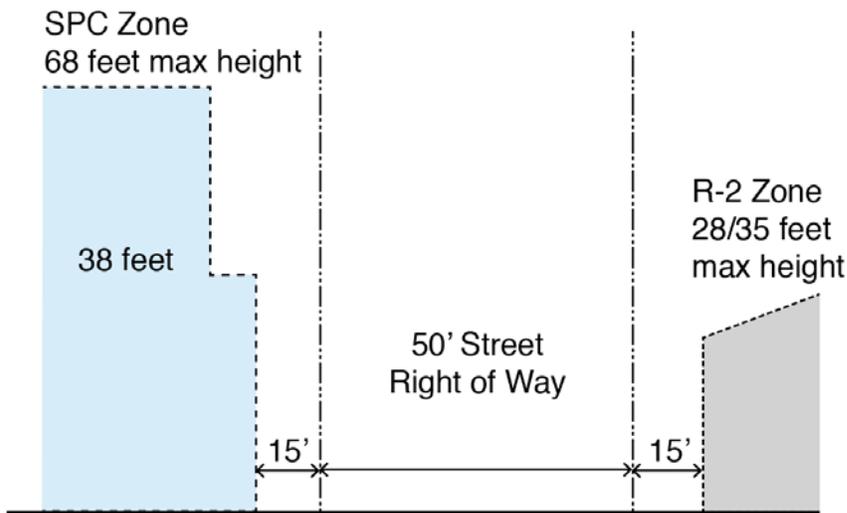
**Figure 4: Proposed Rear Yard Setback Standard Compared to Daylight Plane**



Note: One existing daylight plane option shown in grey; proposed setbacks shown in blue.

For abutting interior side yards, a 5-foot setback is required, but no additional stepbacks at upper stories, as shown in Figure 5. At the exterior property line, the existing 15-foot setback is proposed to remain for both SPC and R-3 districts. However, again the daylight plane is proposed to be replaced with a stepback at 38 feet. This allows for more feasible development (i.e., no loss of potential units or expensive construction), while utilizing the width of the right-of-way to allow for sunlight access.

Figure 5: Proposed Exterior Street Setback Standard



Moreover, the proposed setbacks would apply to all SPC-zone parcels abutting an R-3 High Density Residential district—including the node areas that are currently not regulated.

### Vehicle & Bicycle Parking

Reduced parking requirements can improve site planning, site circulation, and access, and reduce potential development costs. However, the site tests also demonstrate that reducing parking below the current 1 space per unit requirement does not necessarily increase unit yield, especially if bike parking requirements are increased. This is generally because we assume that stackers can be used for efficient parking configuration.

Draft policies in LU-5 and LU-6 expand flexibility in the how parking can be configured and based on the needs of the target market of a given development over time. Parking reductions, through the provision of multimodal strategies, allow for parking at a minimum ratio of 0.5 space/unit. These multimodal strategies include requirements for rideshare (Uber/Lyft) and delivery pick-up/drop-off, opportunities to reduce parking requirements in exchange for bicycle parking, the provision of transit passes, or other means, and conversions post-occupancy if demand changes.

**Policy LU-5:** Within the San Pablo Avenue Specific Plan planning area, **revise vehicular parking and loading standards** to allow flexibility in parking configuration and respond to changes in parking demand over time:

- 1) **Residential Parking Reductions:** Allow for reduction in required residential vehicle parking spaces:
  - a) **Bike Parking (Required + Any Additional).** AMC 20.28.030.C.3 (footnote 1) states that for every ten (10) bicycle spaces provided on site, the Planning and Zoning Commission may waive one (1) required off-street parking space. Bicycle spaces adjacent and accessible to electric outlets to accommodate electric

bicycles count as two (2) spaces for the purposes of this reduction. Allow this exchange and reduction by up to 20%, by right (i.e., Commission approval is not required).

- b) *Transit Passes*. Reduce parking requirement by 20%, by right, if monthly Clipper Card/AC Transit EZ Pass is provided (1 per unit) for the life of the project.
  - c) *Other (Discretionary Approval)*. Additionally, applicants would continue to have options to reduce parking through AMC 20.28.030.A.4: The Planning and Zoning Commission may by Conditional Use Permit, reduce the residential parking requirement through consideration of on-site car-share service, unbundled parking, private bicycle share program, a Transportation Demand Management Plan (TDM) or a combination thereof.
  - d) These reductions are cumulative, but shall not exceed 50% reduction without Planning & Zoning Commission approval.
- 2) Unbundling: Require unbundled parking for rental housing.
  - 3) Loading: Requiring adequate loading spaces for rideshare (Lyft/Uber) and delivery services.
  - 4) Parking Stackers: Mechanical lifts may be used to satisfy a portion of the required residential parking and commercial parking, for regular use by employees. Lifts shall not be permitted for customer parking. Lift design must allow for removal of any single vehicle without necessitating the temporary removal of any other vehicle.
  - 5) Conversion of Unneeded Parking: Parking spaces may be allowed to convert to housing, shared amenity space, personal storage, or other uses in the future if they are no longer needed. This modification shall be based on a post-occupancy study following review and approval by the Planning & Zoning Commission.

Policy LU-6: Within the San Pablo Avenue Specific Plan planning area, **revise bike parking standards** as follows:

- 1) Long-Tail Bikes: Require at least 10% of the required bike parking spaces accommodate long-tail bikes (e.g., cargo bikes, bikes with trailers), when at least 20 protected bike parking spaces are required.
- 2) Electric Bikes: Require at least 10% of spaces to have electrical sockets accessible to the spaces, when at least 20 protected bike parking spaces are required. Each electrical socket must be accessible to horizontal bicycle parking spaces, including a portion of long-tail bikes.

**From:** [Dan Johnson](#)  
**To:** [PLANNING & ZONING COMMISSION](#)  
**Subject:** Public comment for 9/22/21 "Specific Plan" meeting content  
**Date:** Tuesday, September 21, 2021 12:02:30 AM  
**Attachments:** [image.png](#)  
[image.png](#)  
[image.png](#)  
[image.png](#)

**Warning: This email originated from outside the City of Albany. Think before you click!**

Planning Commissioners,  
Ahead of your Specific Plan meeting, I wanted to reiterate some current best practices in other cities, and plea that Albany follow in these footsteps, rather than "tweaking around the edges" of outdated policies. Albany doesn't even need to be innovative, merely imitate what other cities have done.

Key things I'm asking for:

- Do away with parking minimums
- Raise San Pablo height limits to 6-8 stories
- Set parking maximums within 1/4 mile of transit (literally all of San Pablo due to its bus service)
- Generous secure bicycle storage at new homes
- Plan now for a San Pablo & Solano Ave that look like this screenshot below. Ironically this is how both streets were originally designed:



It's not a question of "IF" this car-lite or car-free future comes to pass, it's a question of how much pain do we inflict upon ourselves for how long, before we finally come around to making this happen.

### **California's parking minimums are bad for cities. Why do planners want to keep them?**

<https://slate.com/business/2021/05/california-parking-minimums-planners-housing-ab1401.amp>

“The bottom line is, we need to prioritize people over cars,” Friedman told me this week. That sounds like a metaphor until you’ve tried to build a small apartment building in a city with high parking requirements. In much of California, parking really does take the place of new housing.

If parking minimums are so bad, then why do we have them? There are two common explanations...

### **Editorial: Eliminate parking requirements: Housing people is more important than housing cars - Los Angeles Times**

<https://www.latimes.com/opinion/story/2021-04-26/editorial-eliminate-parking-requirements-housing-people-is-more-important-than-housing-cars>

With California deep in a housing crisis that is degrading the state’s quality of life, it’s time to prioritize housing people over housing cars. The vast majority of California cities require new residential and commercial developments to be built with ample on-site parking — no matter whether the parking spaces are needed or desired, or whether the projects are next to light-rail stations or half-empty parking garages. The state’s obsession with providing abundant parking means the cost of new construction, particularly for housing, is unnecessarily inflated. It doesn’t have to be this way....

### **Lessons from Canada: How To End Mandatory Parking Minimums**

<https://usa.streetsblog.org/2020/11/23/lessons-from-canada-how-to-end-mandatory-parking-minimums/>

Minimum parking requirements saddle North American towns and cities with unproductive, empty parking spaces. Land that could be an engine for prosperity and well-being instead becomes a costly burden on homeowners, small businesses, and taxpayers... “It really comes down to the allocation of space,” explains Salvador. “You don’t have infinite space in your backyard; you either get to devote it to a place for someone to live, or a place to park your car. If you are mandated by the city to provide two or three stalls, that’s just taking away valuable living space. So someone who wants to build a two- or maybe even a three-bedroom garden suite is now forced to build a tiny bachelor pad instead, with three stalls of parking they don’t need.”

### **More California Cities Eliminate Parking Minimums to Promote Low Carbon Transportation and Affordable Housing - Remy Moose Manley**

<https://www.rmmenvirolaw.com/more-california-cities-eliminate-parking-minimums-to-promote-low-carbon-transportation-and-affordable-housing/>

Cities in California are eliminating parking minimum requirements and beginning to implement parking maximums for new construction projects. The hope is that these changes will promote low carbon modes of transportation, such as public transit, biking, and walking and increase affordable housing. Proponents of eliminating these requirements emphasize that parking minimums can contribute to an overreliance on automobiles, which stunts progress toward more walkable and public transit-oriented development and planning. There is also concern that parking minimums contribute to urban sprawl because the physical space

required for parking forces new developments farther from city centers, and that parking minimums encourage less dense development. These concerns have prompted numerous cities throughout the state to revisit their parking policies.

### **Berkeley votes to do away with parking minimums for new developments - San Francisco Business Times**

<https://www.bizjournals.com/sanfrancisco/news/2021/01/27/berkeley-no-parking-minimums-for-developments.html>

New residential developments in Berkeley won't be required to include parking any more.... The City Council also instituted maximum limits on off-street parking for new residential developments, something likely to spur more parking-less projects.

### **How to Reform Your City's Bad Parking Requirements - Bloomberg**

<https://www.bloomberg.com/news/articles/2019-09-20/how-to-reform-your-city-s-bad-parking-requirements>

Cities that require builders to provide off-street parking trigger more traffic, sprawl, and housing unaffordability. But we can break the vicious cycle.

To distill the 800 pages of my 2005 book *The High Cost of Free Parking* into three bullet points, I recommended three parking reforms that can improve cities, the economy, and the environment:

1. Remove off-street parking requirements. Developers and businesses can then decide how many parking spaces to provide for their customers.
2. Charge the right prices for on-street parking. The right prices are the lowest prices that will leave one or two open spaces on each block, so there will be no parking shortages. Prices will balance the demand and supply for on-street spaces.
3. Spend the parking revenue to improve public services on the metered streets. If everybody sees their meter money at work, the new public services can make demand-based prices for on-street parking politically popular.

### **In Paris, streets free of cars for the safety of schoolchildren**

<https://www.ouest-france.fr/education/ecole/a-paris-des-rues-liberees-des-voitures-pour-la-securite-des-ecoliers-655217ca-b25d-11eb-9943-0ae3290145e2>

Since 2019, the City of Paris has partially or totally pedestrianized 185 streets near nursery and primary schools. A measure that is at the same time safe, sanitary and ecological. The street is not completely closed but its access is limited to deliveries, help, etc. At the entrance, three planters oblige the motorist to slalom and therefore, to slow down. We begin to appropriate the space. It was difficult to consider it as a semi-pedestrian street, reports Sara Peverelli, represents parents of students. I find it pleasant, we can do more things than before, adds Thomas. Her 7-year-old son often plays in front of the school at 6 p.m. at the end of the recreation center.

### **wohnBAUMoffensive on Twitter: This is how Vienna's developing a new, dense, walkable transit adjacent district.**

<https://t.co/XIIDeiLFBo>

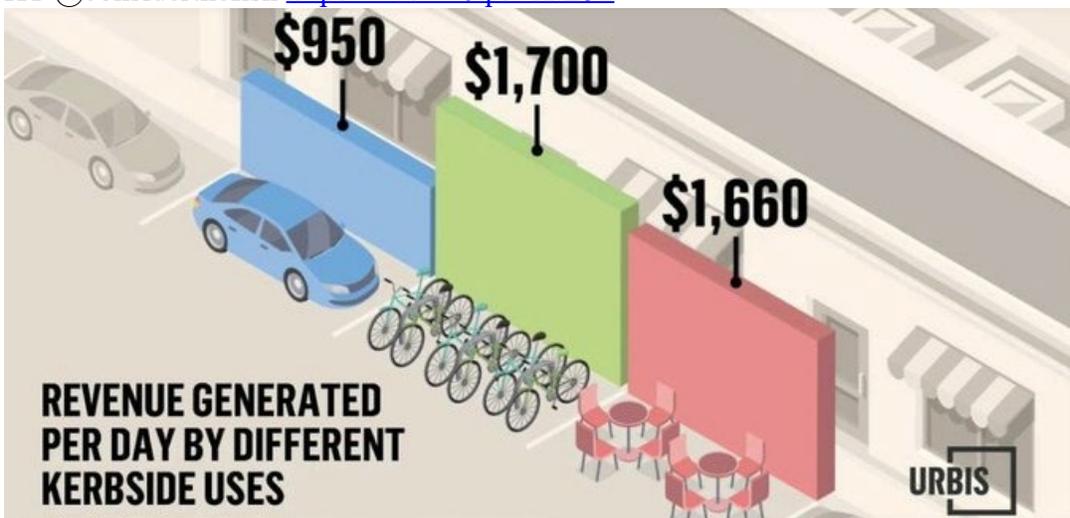
Massive park. Connections to adjacent streets. Dense perimeter blocks w/ ample semi-public and private courtyards. Kindergartens. Community amenities. Loads social housing. Jobs. Cafes. Schools...

### **Why free parking is bad for everyone - Vox**

<https://www.vox.com/2014/6/27/5849280/why-free-parking-is-bad-for-everyone>

"That parking doesn't just come out of thin air," Shoup says. "So this means people who don't own cars pay for other peoples' parking. Every time you walk somewhere, or ride a bike, or take a bus, you're getting shafted." All our free street parking also leads to secondary problem: most city governments (with the exception of New York, San Francisco, and a few other dense cities) require all new buildings to include specified large numbers of added parking spaces — partly because otherwise, the free street parking would be swamped by new residents. "In most of the country, you can't build a new apartment building without two parking spaces per unit," Shoup says. This too costs money. In Washington DC, the underground spots many developers build to comply with these minimum requirements cost between \$30,000 and \$50,000 each.

**Lior Steinberg on Twitter: "One of the greatest achievements of the car industry is convincing business owners that parking spaces lead to more revenue. By @urbisaustralia HT @considerthefish <https://t.co/W0qG4KtZ52>**



Source: Urbis, 2021  
Based on the following sources  
• Dining Parklet occupancy, expenditure and duration of stay based on: Urbis, 2021, Extended Outdoor Dining Program Evaluation, for Cities of Melbourne, Yarrs and Stonnington  
• Bike parking occupancy, expenditure and duration of stay based on: Alison Lee & Alan March (2010) Recognising the economic role of bikes: sharing parking in Lygon Street, Carlton, Australian Planner, 47:2, 85-93. DOI: 10.1080/07293681003767785 (factored into 2021 Australian Dollars)  
Assumptions and Notes  
• Occurrence: bike parking 6 spaces, car parking 1.2 spaces per car, dining parklet 10 seats.

<https://t.co/4QmndDIU2E>



wohnBAUMoffensive  
@holz\_bau



2. height limits would be width of ROW, so 80' wide arterial gets 80' tall buildings. upper story setbacks from max wall height at 45 degree angle. can be inhabited attic, or bump back for deck and living. like so



10:15 PM · Jun 26, 2021 · Twitter Web App

### **Boston Gave Up Hundreds of Parking Spaces to Outdoor Seating. Good Riddance.**

<https://www.bostonmagazine.com/news/2021/06/24/parking-space-outdoor-restaurant-patios/>

That before all this, these lovely spots could be taken up by just a car, in a prime location outside a bustling restaurant, for hours at a time, and for pocket change from the owner, now feels absurd. It *is* absurd.

### **Minneapolis eliminates minimum parking requirements for new developments**

<https://bringmethenews.com/minnesota-news/minneapolis-eliminates-minimum-parking-requirements-for-new-developments>

Minneapolis City Council unanimously voted to fully eliminate the city's minimum parking requirements on new developments. This move is in line with the city's climate goals in the Minneapolis 2040 Comprehensive Plan, which the Council adopted in 2019. "As more people are choosing to live without owning a car and are seeking to build, buy or rent housing that may not have off-street car parking provided, it makes no sense for us to continue requiring parking spaces for cars in all new developments. "The City has declared a climate emergency, and this ordinance backs that up with concrete action," Gordon added.

**A Metro Los Angeles memo finds that mix used developments on the west coast are required to provide almost twice as much parking on average as residents/visitors ended up using. Pg. 195.**

[https://planning.lacity.org/odocument/005a0095-78a8-47cd-9904-d8fffe9d08ea/DTLA2040\\_Public\\_Comment\\_Package.pdf](https://planning.lacity.org/odocument/005a0095-78a8-47cd-9904-d8fffe9d08ea/DTLA2040_Public_Comment_Package.pdf)

### **Cities Need Housing. Parking Requirements Make it Harder.**

<https://www.bloomberg.com/news/articles/2021-04-26/to-save-the-planet-kill-minimum-parking-mandates>

California was a pioneer in minimum parking mandates, which drive up housing costs and climate emissions. Now the state is ready to lead the nation in reclaiming our cities from parking lots. The culprit: minimum parking requirements, which force developers to set aside vast amounts of valuable land and construction budgets to create vehicle parking for residential and commercial buildings alike. These outdated planning policies make it difficult to build more multi-family homes within urban boundaries, fueling an unprecedented housing shortage that is entirely artificial in origin.

### **Why Santa Monica got rid of parking minimums downtown. And why other cities should consider following suit - Los Angeles Times**

<https://www.latimes.com/opinion/livable-city/la-ol-santa-monica-parking-minimum-density-transit-20170924-story.html>

### **How Parking Destroys Cities: Parking requirements attack the nature of the city itself, subordinating density to the needs of the car.**

<https://www.theatlantic.com/ideas/archive/2021/05/parking-drives-housing-prices/618910/>

The trouble with parking requirements is twofold. First, they don't do what they're supposed to, which is prevent curb congestion. Because curb parking is convenient and usually free, drivers fill up the curb first, no matter how much off-street space exists nearby. Second—and more consequential—parking requirements attack the nature of the city itself, by subordinating density to the needs of the car.

### **Verified: More Parking Puts More Cars on the Road - Sightline Institute**

<https://www.sightline.org/2021/01/28/more-parking-isnt-harmless-it-actually-makes-us-drive-more/>

Even if we ignore the breathtaking economic costs of dedicating scarce urban space to car storage, mandatory parking isn't an "all of the above" strategy that simply lets people choose their favorite mode of transportation. Instead, as UCLA professor Donald Shoup put it in 1997, parking spaces are "a fertility drug for cars."

### **Paris removes 70,000 parking places to make city greener | World Economic Forum**

<https://www.weforum.org/agenda/2020/12/paris-parking-spaces-greenery-cities/>

Authorities in the French capital want to remove some 70,000 surface parking spots to free up space, particularly on narrow and residential streets, for more eco-friendly transport options and leisure pursuits. Priority for remaining spaces will be given to residents and businesses, and no disabled places will be removed. "We can no longer use 50% of the capital for cars when they represent only 13% of people's journeys," said deputy mayor David Belliard

### **Parking Reform Made Easy**

<http://smartgrowth.org/parking-reform-made-easy/>

Richard W. Willson, Ph.D, FAICP, a professor in the Department of Urban and Regional Planning at Cal Poly Pomona, explained the problems created by the parking requirement status quo before presenting a step-by-step process for reforming minimum parking requirements. Willson outlined a toolkit that planners can use to provide an analytic and policy

basis for parking requirement reform, offer examples of supportive parking management tools, and discuss strategies for moving reform forward with elected officials and stakeholders.

### **It's unanimous: Oregon says no to car parking minimums**

<https://bikeportland.org/2020/12/14/oregon-parking-reform-sightline-323931>

In the first action of this kind by any US state, Oregon's state land use board voted unanimously last week to sharply downsize dozens of local parking mandates on duplexes, triplexes, fourplexes, townhomes, and cottages. Many cities have reduced or eliminated parking mandates in recent years, including Oregon's largest city, Portland.

### **How Eliminating Parking Minimums Actually Makes Cities Better**

<https://www.eesi.org/articles/view/how-eliminating-parking-actually-makes-cities-better>

Reducing the amount of parking in urban spaces can also greatly improve the quality of urban landscapes. From an environmental standpoint, lower automobile use per capita helps to reduce greenhouse gas emissions and pollution from cars around population centers. Parking reform can also drastically reduce the costs associated with development projects. According to a report on parking published by the Environmental Protection Agency, fees for structured, on-site parking range from \$2,000 to \$20,000 per space on average.

### **Why California Has Too Much Parking and How It's Making Climate Change and the Housing Crisis Worse**

<https://www.spur.org/news/2021-02-24/why-california-has-too-much-parking-and-how-its-making-climate-change-and-housing>

Laws that require new buildings to provide a minimum number of parking spaces are undermining California's investment in affordable housing, public transit and environmental resiliency. Eliminating minimums and imposing maximums does not advocate for the elimination of parking — it makes the case for building parking only when it truly fills a need. SPUR-sponsored Assembly Bill 1401, introduced at the state legislature last week, would eliminate minimum parking requirements and promote walkable, safe and healthy communities.

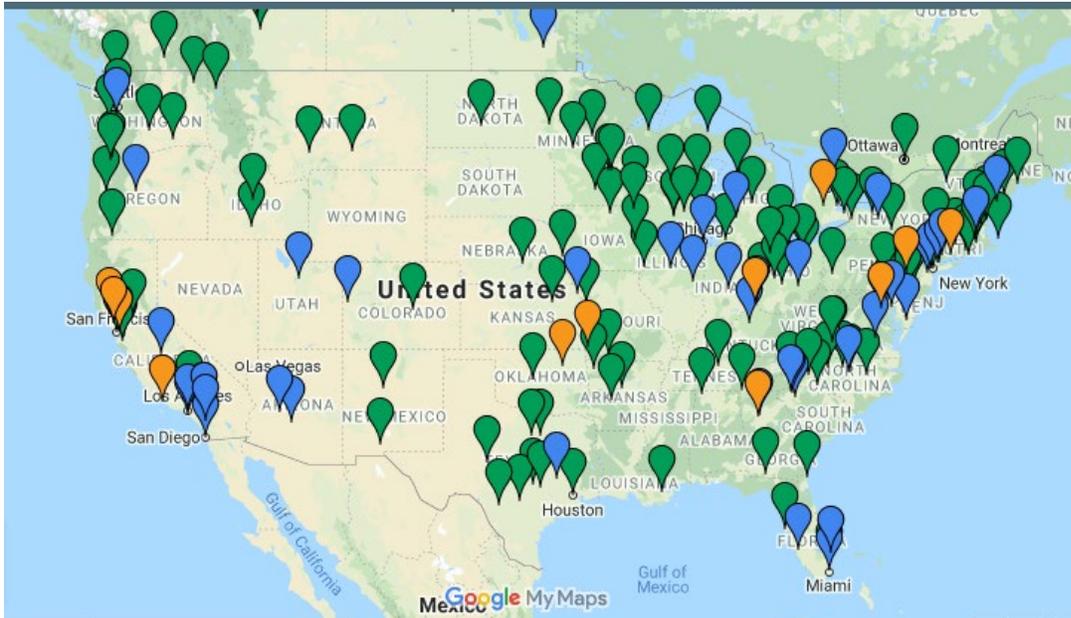
### **Cities that have eliminated parking minimums focus on downtowns and transit corridors**

<https://doesparkingmatter.com/cities-that-have-eliminated-parking-minimums-focus-on-downtowns-and-transit-corridors/>

Portland, OR  
Eugene, OR  
Ashland, OR  
Tigard, OR  
Seattle, WA  
Tacoma, WA  
Olympia, WA  
Yakima, WA  
Bozeman, MT  
San Francisco, CA  
Sacramento, CA  
Berkeley, CA  
Minneapolis, MN  
Milwaukee, WI  
Champaign, IL  
Nashville, TN

Cincinnati, OH  
Buffalo, NY  
New York, NY  
Washington, DC  
Edmonton, AB...

<https://www.strongtowns.org/journal/2015/11/18/a-map-of-cities-that-got-rid-of-parking-minimums>



### **Are Parking Minimums a Thing of the Past?**

<https://walkerconsultants.com/blog/2019/02/13/are-parking-minimums-a-thing-of-the-past/>

urban planners are increasingly realizing that parking minimums do not necessarily promote their communities' planning values, economic development goals, and need to build more housing. In fact, they often work at cross purposes. Given that Americans are chaining how they get around, the idea of parking minimums seems to be an inflexible anachronism that has outlived its usefulness.

### **Smaller Cities Lighten Up on Minimum Parking Requirements: Minimum parking requirements make it difficult to design and build places for people, rather than cars.**

<https://www.naiop.org/Research-and-Publications/Magazine/2016/Summer-2016/Development-Ownership/Smaller-Cities-Lighten-Up-on-Minimum-Parking-Requirements>

Removing parking requirements alone won't solve the problem. Unraveling the web of standards that supports the automobile's dominance over cities and suburbs will take time and a concerted focus on revising thousands of local zoning ordinances. But removing these standards is an important first step. What if a community isn't ready to take the plunge? Three "baby steps" will help move it in the right direction:

- 1) Cut existing standards in half. This preserves a "safety net" for parking and reaches a compromise with those who believe parking standards are necessary.
- 2) Eliminate standards for small buildings. The best way to energize a vacant building is to require less parking. Consider eliminating requirements for buildings smaller than 5,000 square feet.
- 3) Eliminate parking standards in downtowns. Downtown parking should be treated like

a utility and managed collectively. Most downtowns are actually plagued with too much parking. (See “Making Paid Parking Pay.”)

Cities that have successfully backed away from the “parking requirement” business are doing just fine; the anticipated “parking apocalypse” has never occurred. Instead, those communities have become more compact, walkable and vibrant. Eliminating minimum parking standards will unlock greater economic value and prioritize the well-being of people rather than cars.

### **Cities Are Finding a Good Spot to Rethink Parking Minimums**

<https://www.propmodo.com/cities-are-finding-a-good-spot-to-rethink-parking-minimums/>

The fact is Americans are parking less because Americans are buying fewer cars and driving them less. American drive times have been falling since they peaked in 2004. Commuting is the lowest it’s been in decades. Americans of all ages are buying fewer cars but especially Millennials. Some experts say private car ownership may have already peaked.

### **St. Paul, MN Is The Latest City To Eliminate Parking Minimums**

<https://www.greaterohio.org/blog/2021/9/14/st-paul-mn-is-the-latest-city-to-eliminate-parking-minimums>

St. Paul, MN is the latest major city to eliminate citywide off-street parking minimums in an effort to simplify zoning and facilitate people-centered development. Limiting off-street parking can be one solution to disincentivize driving while simultaneously creating a more accessible environment to cyclists and pedestrians. The City of San Francisco eliminated requirements in 2018, followed by Minneapolis, Sacramento, and Berkeley, CA in 2021

### **How to not worry about abolishing parking minimums**

<https://www.reinventingparking.org/2019/08/dont-worry-abolish-minimums.html>

If you need answers to people's fears about what will happen after minimum parking requirements get abolished then this edition of Reinventing Parking is for you. The focus is on answering concerns that abolishing parking minimums will cause shortages of on-site parking and that such shortages will cause wider problems. You can either listen to the podcast episode (use a podcast app or the player below) or read this article.

Dan Johnson  
510-325-5672 mobile

September 21, 2021

RE: San Pablo Avenue Specific Plan

Dear Members of the Planning and Zoning Commission,

For over 60 years, Greenbelt Alliance has helped create cities and neighborhoods that make the Bay Area a better place to live—healthy places where people can walk and bike; communities with parks, shops, and transportation options; homes that are affordable and resilient to the impacts of climate change. Greenbelt Alliance encourages Climate SMART—Sustainable, Mixed, Affordable, Resilient, Transit-Oriented—Development that advances the right kind of development in the right places. By promoting climate-smart development we can create thriving, resilient neighborhoods with ready access to transit and housing choices for all of the Bay Area’s people.

As you consider the land use mix, zoning, and policies of the San Pablo Avenue Specific Plan, we urge you to seize this opportunity to incorporate inclusive, equitable, and resilient land use policies that set an example for neighboring jurisdictions to follow, while also investing in the City’s mission of providing a safe, healthy, and sustainable environment.

Rethinking the San Pablo Corridor provides an opportunity to reimagine how Albany can incorporate growth and accommodate new housing units while also maintaining active transportation infrastructure, providing opportunities for small business development, and facilitating in-demand transit-oriented development. We are excited about the progress the Commission has made so far, and would like to support the following specific design principles that we believe are vital to achieving equitable, feasible, and climate-smart urban environments:

- **Multifamily Housing and High-Density Mixed-Use Development:** The San Pablo Specific Plan Area is well-situated to accommodate higher-density infill development due to its proximity to transit and its location within the region. Approved density and height limits should reflect the high costs developers face when building infill housing, as well as the existing demand for naturally affordable units and the limited supply of available parcels in the City. Approving development of multifamily units and encouraging a range of housing types is vital for supporting Albany’s small businesses and its sustainability goals by allowing more people to both live and work in the City - this is a crucial step towards lowering VMT and associated emissions, while improving quality of life.
- **Parking Minimums:** Requiring developers to build a minimum number of parking spaces per unit has been shown to drive up the cost of development, increase market rents, and result in worse environmental outcomes. Removing policies that require developers to build parking, as well as requiring that parking is unbundled from rent, will reduce barriers to development and support transit-oriented amenities and investments in the public realm.
- **Designing for Active Transportation and Transit Connectivity:** Albany is already a leader in active transportation infrastructure, and the San Pablo Specific Plan provides an opportunity to further build on that momentum. Development should be designed to encourage bicycle and pedestrian transportation and safe and enjoyable connections to BART and public transit. Along with bike lanes, curb-outs, and other design elements, green infrastructure and street trees have

been shown to reduce driving speeds and signal a more pedestrian-oriented environment while also contributing to stormwater management, carbon sequestration, and habitat connectivity.

This year has demonstrated that the long-predicted impacts of climate change are already becoming our daily reality. One of the best ways to address our climate crisis is to build more dense infill housing in existing communities close to transit. According to research from the CoolClimate Network out of UC Berkeley, allowing more people to live in cities like Albany could be the most impactful ways of reducing climate pollution. The San Pablo Avenue Specific Plan is an exciting opportunity to position Albany as a leader in Climate-SMART development and we hope that you incorporate land use designations and policies that reflect the needs of Albany's current, and future, residents.

Sincerely,

A handwritten signature in black ink, appearing to read 'Zoe Siegel', with a stylized flourish at the end.

Zoe Siegel  
Director of Climate Resilience  
[zsiegel@greenbelt.org](mailto:zsiegel@greenbelt.org)  
Greenbelt Alliance

**From:** [Bryan Marten](#)  
**To:** [PLANNING & ZONING COMMISSION](#)  
**Subject:** Public comment for Item 1-1. San Pablo Avenue Specific Plan  
**Date:** Wednesday, September 22, 2021 12:46:06 AM

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I recognize that dense housing has many benefits for the environment, for local businesses, for public health, for progress towards relieving a housing crisis and making housing more affordable, etc. Dense housing also has its negative impacts for which the city should plan.

Some comments for Policy LU-5:

If you're going to have tall, dense, under-parked developments then the city definitely needs to require as many amenities for alternative transportation as possible like the things mentioned - perpetual Clipper cards for each unit, bike storage of all types including for cargo & electric bikes, designated Uber/Lift and delivery pick-up/drop-off locations, on-site car-share like ZipCar, parking for electric scooter-share, etc., etc.

I am concerned that the recommendation is that parking be unbundled and that there is a process to convert "unnecessary" parking at a future date. I get the reasoning here but it seems very flawed given that unbundled parking will be for residents a separate payment of thousands of dollars per year per vehicle while on-street parking in the neighborhood is currently free. The proposed policy produces huge incentives for the residents to park off site in the surrounding neighborhood and for the owner to see vacant on-site parking spaces as an opportunity for more development rather than an indication that they have priced their on-site parking too high and that the city has not done what it can to prevent spill-over parking.

I have a question about the % reductions in required parking spaces. Each non-car amenity provides a % reduction in required parking whose cumulative total LU-5 says "shall not exceed 50% reduction without P&ZC approval". The state allows a density bonus for projects near transit that already includes a minimum requirement of parking spaces = 50% of units (1 car space for every 2 units which in many cases would be 1 space for every 4 licensed drivers). In LU-5 is the max 50% cumulative reduction the same as the state's 50%? Or is it allowing a developer to include even fewer parking spaces? If the latter then what would a formula actually look like for a development that qualifies for a state density bonus and reduction in parking? Can we get a concrete example?

I'm in favor of LU-6.

I'm in favor of requiring ground-floor commercial.

I'm in favor of limiting denser SPC-zoned developments to through-block ownership and not allowing denser SPC-zoned developments on half-block parcels. I do not want a tall half-block development behind my house casting even more shadow from the east than we already get from the west from Albany Hill and completely blocking my view and that of the upstairs rental in our duplex of the East Bay hills (a material impact to my family's business/rental property) but if there is to be one there, I think the proposed 10-foot and 20-foot setbacks are

reasonable. But there should be language which I don't currently see specifying a requirement for significant transition to lower density on Adams and Kains for through-block dense development.

When through-block developments are buffered from neighbors by streets and other businesses I am in favor of the densest buildings being there like the memo mentions north of Clay and Brighton. I am also in favor of denser developments near University Village and at the corner of SPA and Solano Ave. And I am in favor of denser developments being restricted to through-block projects. Note that although some of these have the benefit of significant buffering, all will negatively impact parking in nearby neighborhoods if under-parked.

I am concerned that the staff report says "the city expects to accommodate the majority of the RHNA target on San Pablo Avenue." Particularly since what I have heard at public meetings is that the city expects to accommodate the vast majority of its housing quota along this one narrow strip of town. My concerns, taken together, raise serious concerns about violations of California's AB 686 regarding affirmatively furthering fair housing.

<https://www.nhlp.org/wp-content/uploads/AB-686-Fact-Sheet-Feb.-2019.pdf>. My concerns are these:

1. Just about everyone in Albany, including just about every R-1 home, is within a 10-15 min walk of transit - whether BART stations north or south of us or buses on SPA, Solano, Pierce, Gilman, Sutter, etc. - and shops on SPA, Solano, Fairmount, Gilman, Pierce St, or in ECP or Kensington and yet the city does not allow dense development there.
2. Because of current zoning on SPA and proposed changes via the SPA Specific Plan, those of us living near SPA appear to be facing a future of hundreds of parked cars from developments like 540 SPA spilling over onto residential streets. The bowling alley development alone as recently submitted has 156 parking spaces (plus some double lift stacker spaces) for 207 residential units. Each of those apartments is a home. Imagine your block already had a street full of homes and full of parked cars and then overnight 207 more homes were added and the powers that be approved dozens of the homes to have zero parking spaces while the other homes have fewer spaces than drivers. And required homes to pay thousands of dollars per year for each car they want to park on their own property while keeping street parking free. That's the situation neighborhoods near SPA are in from just the first of what are planned to be many more dense developments to come with reduced parking.
3. I'm a commissioner on the Albany Parks Recreation & Open Space Commission speaking here in my personal capacity as a 17-year resident of Albany. When I was recently informed of an upcoming joint P&Z and PROS commission meeting planned for the bowling alley I asked the city attorney to clarify the terms of a recusal for me as a PROS commissioner who lives near that site. I want to share this part of what she wrote to me regarding why a recusal is necessary: "With regard to the proposed project, it is reasonably foreseeable that the development of new high-density housing would impact the character of your property by altering traffic levels and parking availability in the area, as well as potentially affecting the market value of your residence. ... Given the potential traffic, parking, and market value impacts to your property, it is unlikely that the FPPC would find clear and convincing evidence of no measurable impact to your property." I understand the need for a recusal from my official capacity as a PROS commissioner for that upcoming meeting. I shared this portion of the city attorney's statement so it is clear to P&Z commissioners that, even though there are many benefits

to society, the environment, the economy, etc. with high density housing, everyone can see there are clear, real anticipated negative impacts of these under-parked high density developments in the neighborhoods where the city says they can go. And I hope this helps make clear that the 30 minute debates during P&Z meetings about +/- 1 parking space for one R-1 home (which is also near shops and transit) over concern for the impact on neighbors as was done at the past meeting shine a spotlight on the inequitable treatment of different neighborhoods in town.

4. The latest 2020 Census data shows that the neighborhoods along SPA are by far the most racially diverse and least White in town.

<https://www.sfchronicle.com/projects/2021/census-bayarea-tracts/>

I'm concerned some commissioners at the last meeting seemed to express the desire to do nothing with regards to spill-over parking and let market forces decide what happens to existing residents. I agree as some commissioners said that market forces can lead to changes in parking and transportation behavior. The development at Albany Bowl and others like it will each likely produce hundreds of cars looking for a place to park in my neighborhood and other neighborhoods up and down SPA. I've lived in SF and NYC and in those cities that's just expected. In many neighborhoods there you really don't want to own a car. The norm in many neighborhoods there is a lot of tickets from street sweeping, driving around for 30 mins looking for a parking space, expensive parking lots, parking meters, tickets due to numerous parking restrictions, break-ins, etc. In those places people know that's the situation and most quickly adapt, supported by good walkability to nearby shops and robust alternative transportation infrastructure. In Albany, it would be a transition. For some in my neighborhood they will decide parking on the street is now more painful so they will sell off an "extra" car or park 2 cars end-to-end on a long driveway where they used to park only 1 or none or they will empty out their garage, in some cases thereby removing a bedroom or other living space, and use it to park a car for the first time ever or they will rip out their landscaping and pave their front yard and park there as some in my area already do now. Is this change you would seek out and embrace for your neighborhood and home? The impacts will be wherever the city decides high-density under-parked housing will go and right now the plan seems to be to focus those impacts onto one narrow strip of town. As it gets harder to park on the block some residents may make the decision to go to fewer cars than drivers or to no cars but that's really only possible if there is a more robust alternative transportation infrastructure.

Bryan Marten  
Resident, 600 block of Adams St

From: [Clay Larson](#)  
To: [PLANNING & ZONING COMMISSION](#)  
Subject: Comments on Item 1, San Pablo Ave. Specific Plan  
Date: Wednesday, September 22, 2021 7:56:46 AM

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**Warning: This email originated from outside the City of Albany. Think before you click!**

Commissioners,

The task of responding to yet another staff report for the so-called San Pablo Avenue Specific plan, this time a 20-page report, is a bit daunting. I have commented on the specific plan many times in the past. It does not appear that the consultant or City staff have taken mine or any public comment into consideration. They certainly have not provided any formal responses to public comments. With a few exceptions, the public comments have also been mostly ignored by the commissioners.

On this occasion, I have not attempted to provide a cohesive, structured letter. Instead, I simply typed up my notes regarding various aspects of the specific plan process and the consultant's current report.

### **The Specific Plan Process has Been Dishonest and Illegal**

The consultant has regaled us *ad nauseum* with the claim that the "Specific Plan aims to fulfill the policy objectives for San Pablo Avenue, as stated in the General Plan Land Use Designation" in order to enable "a transformation of this corridor from auto-oriented commercial uses to more attractive, pedestrian-oriented, mixed use development." The consultant further claims, "Although the vision for the corridor is set, existing zoning standards do not align with this objective" and claims that the specific plan proposes to change these standards. The consultant never mentions that the specific plan aims to change the standards that are set forth in the General Plan (i.e., height, residential density, daylight planes, and FARs). The consultant doesn't mention this probably because specific plans can't legally do this, i.e., change the General Plan.

The whole specific plan process has been dishonest and illegal from the onset. But wait, it gets worse. In the current staff report, the consultant describes the new goals of aligning zoning standards with the density and height of development common in the East Bay and also to meet the goals of SB2, which funded the planning project. Again, State law requires the specific plan to be consistent with the General Plan and the specific plan must implement the General Plan. There are no requirements for a specific plan to be in alignment with neighboring cities or to implement the goals of a funding source.

### **Albany's RHNA Requirement**

As stated by the consultant and apparently as directed by City staff, the goal of the so-called specific plan is to try and satisfy all of the Albany's regional

housing needs allocation along one street in Albany, San Pablo Ave. This is not fair and it is in violation of current State planning law. However, since this is the goal, the consultant should provide an inventory of the potential sites showing how the RHNA will be accommodated by the development that would be allowed on the San Pablo Ave. corridor.

### **Ground Floor Residential**

- For years, City staff have told us that ground floor residential creates “dead zones”. The General Plan encourages mixed use development combining ground floor commercial with residential uses above the ground floor all along the San Pablo Avenue (SPA) corridor. The current zoning ordinance prohibits ground floor residential with the possible exception of a 100% BMR project. Even the consultant’s new interpretation of the true objective for the San Pablo corridor refers to “mixed use development”. The consultant claims the proposed land use framework requires ground-floor commercial uses along most the corridor. However, the revised land use policy (Policy LU-2) actually requires ground floor commercial at only three nodes (North of Clay/Brighton, at Solano, and between Marin and Dartmouth Street on the east side). This represents approximately 25% of the total SPA frontage. In addition, for some parcels, common area residential uses (e.g., garages) will apparently count as commercial uses. Also, the P&Z Commission can permit ground floor residential by issuing a CUP after making unspecified findings. So, forget about attractive, pedestrian-oriented, mixed-use corridors, the goal here, the only goal here, is to pack in as much residential development on SPA as possible.

### **Setback and Daylight Planes**

As finally acknowledged by the consultant, Albany’s General Plan requires the buffering of the impact of SPA devolvement on the residential uses on the streets adjacent to SPA (Kains and Adams). The General Plan specifically sites “special setback and daylight plane regulations to be applied where commercial zones abut lower density zones.” The purpose of the daylight plane requirement is to set back the building envelope in order to ease the transition between high density and lower density parcels. The consultant’s proposed land use framework would replace the current daylight plane requirement with “refined setbacks”, claiming that these are more “contextually appropriate”. Specifically, with the consultant’s proposal, while the setback remains unchanged, the daylight plane would be replaced by a single 10’ step back at a height of 38’. It can be shown that the consultant’s proposal will provide much less buffering for the adjacent residential neighborhoods than is provided by the upper floor setback requirements in Berkeley and El Cerrito. It is clear that the consultant’s proposal does not satisfy the requirements of the current General Plan.

The consultant has not made any attempt evaluate the impact of the proposed elimination of the current buffering requirements. Instead, the consultant merely claims that the proposed alternative, “will provide for light access to adjacent properties”. I will note again that the definition of the daylight plane in the Albany’s

zoning ordinance [§ 20.08.020] does not mention lighting or shadows. It is included in the ordinance as a setback requirement [§ 20.24.070]. The purpose of the daylight plane as described in the General Plan again is to provide sensitive transitions to adjacent lower density development that are compatible with the scale and character of the adjacent neighborhood. In another words, it's not just about light!

In an initial overview of the project, the consultant stated that it would be providing 3D models showing the impact of development on San Pablo Avenue. These could be helpful for the Commission and the public to evaluate the impact of the elimination of the daylight plane setback requirements, but we have never seen these models.

### **Residential Vehicle Parking**

The consultant continues to hammer away at Albany's parking ratio requirements. But to be fair, the consultant here seems to have the support of the majority of the commissioners, who frequently express their anti-automobile zeal. But the inconvenient truth here is that everybody owns cars and this will continue the primary mode of transportation in the future. Only a handful of Albany residents rely on bicycle travel. The proposals to substitute bike parking spaces for motor vehicle spaces, which is already included in our zoning code, continues to be dumb. Clipper cards? Given Albany's woeful record on enforcement of land use requirements, who's going to enforce this? While most of the commissioners seem clueless regarding the real parking requirements, the developers seem to get it and invariably design more parking than is "required". The Mayfair Station project in El Cerrito, which is built on a BART parking lot, has 150 indoor parking spaces.

### **Effects of State Density Bonus Program**

The consultant provided a comparison of the proposed SPC base zoning with the zoning requirements available under the State Density Bonus Law. The consultant actually notes that State law generally allows more flexibility in terms of height, density, and parking standards, and limits the City's discretion to deny modifications to development standards in the form of waivers. Based on this, what would motivate the developer to choose City's new SPC zoning, with less flexibility in terms of height, density, and parking standards, and with the City's discretion to deny waivers to development standards? Again, the question presumes that the City has managed to revise its General Plan to make the provisions described in the specific plan legal.

### **Decision-Making Rubric**

The decision-making rubric should include lower density, less intrusive alternatives to the various development standards. Examples here should include: Height (48 ft/4 Stories), SPC/R-3 Height Transition (additional step backs at 48', 58', ...); Residential Density (come up with a maximum density as the alternative to the proposed no maximum, which will be difficult to implement); Open Space (require a healthy 250 ft<sup>2</sup> per unit); Parking (1 space/unit, with no reductions by right).

The Commission can and should consider eliminating the Community Benefits proposal altogether. It appears that this is simply a rebranding of the previous local density bonus program, which as the consultant noted, the Commission generally did not prefer. Moreover, the proposed B list “benefits” are all either already required or are low hanging fruit.

### **Small Town Ambience**

Albany’s small-town feel is part of what makes Albany special. Albany has adopted a policy stating its dedication to maintaining its small-town ambience. Planning and Zoning Commission agendas include a statement to this effect. It is incorporated into Albany’s mission statement. The General Plan notes the value of the amenities of small-town living. There has been no mention of Albany’s dedication to maintaining its small-town ambience in any of the staff reports for the San Pablo Avenue Specific Plan; no mention of it in any of the consultant’s reports; and no real discussion of the policy by any of the commissioners. Meanwhile, the consultant regales us with proposals for 85’ tall buildings on San Pablo Ave., using examples of development in downtown Oakland.

It is apparently difficult for the Commission and many in the public to visualize the impact of very tall buildings in Albany. I suggest that folks check out the Mayfair Station, which is being built on San Pablo Ave. in El Cerrito. This six story (5 stories over commercial) development provides 223 units including 67 affordable units. Remarkably, the complex, which is built on the El Cerrito del Norte BART parking lot, includes 150 indoor parking spaces. Anyway, by all accounts (except maybe parking) this could be considered as an ideal infill project. I suggest folks take a walk around the Mayfair project and imagine it on San Pablo Avenue in Albany. It doesn’t look right. It doesn’t feel right. It doesn’t smell right. It doesn’t taste right.

I recognize that some of this kind of development may be inevitable given current State housing laws, but we shouldn’t make this the City’s base standard.

Clay Larson

Sent from [Mail](#) for Windows

**From:** [Clay Larson](#)  
**To:** [PLANNING & ZONING COMMISSION](#)  
**Subject:** Additional Comments on Item 1, San Pablo Ave. Specific Plan  
**Date:** Wednesday, September 22, 2021 8:04:44 AM

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Commissioners,

I have provided separate comments to the Commission on tonight's study session for the San Pablo Avenue Specific Plan in another email. With this email, I would like to comment on the behavior of one of the commissioners, Ian MacLeod. As shown in the email below, last week, Commissioner MacLeod asks for public comment supporting reduced parking requirements, 6-8 story height limits, etc. MacLeod notes his intent here to try and influence the straw poll scheduled for the meeting. MacLeod's email was posted on the Albany Climate Action Coalition listserv.

The Albany Advisory Body Handbook asks commissioners to "maintain an objective, balanced, and receptive attitude". The handbook notes that, "It is important that members be able to set aside personal biases in an effort to understand how policies will affect all segments of the City." These points were emphasized in the advisory body and Brown Act training provided to the commissioners earlier this year by the city attorney. Perhaps Mr. MacLeod missed this training and has not had a chance to read the handbook.

Clay Larson

----- Forwarded message -----

**From:** **Ian MacLeod** <[ian\\_macleod@sonic.net](mailto:ian_macleod@sonic.net)>  
**Date:** Tue, Sep 14, 2021, 9:31 PM  
**Subject:** San Pablo Avenue Specific Plan - 9/22 5 pm  
**To:** Nick Peterson <[nickpetersonarchitect@gmail.com](mailto:nickpetersonarchitect@gmail.com)>

Hi Nick,

An update from staff: [We have the Specific Plan scheduled for the next Planning Commission hearing next Wednesday 9/22 at 5pm. The focus of that discussion will include land use policies and a feasibility analysis from a local developer on the Plan thus far. As part of this meeting, we will also conduct our straw poll voting on specific standards of the plan. We expect to come back in October to the Commission for another study session on transportation and infrastructure.](#)

I believe this meeting is key as the straw poll will largely shape the parameters of the final plan. Anything you can do to muster the ACAC folks on this would be very helpful. Key points are transit oriented development, reduced parking requirements, 6-8 story height limits, reduced carbon footprint of multi-family housing, include generous secure bike storage rooms, etc.

Please note the early meeting time.

Thanks,

Ian

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ACAC mailing list

[ACAC@lists.carbon0albany.org](mailto:ACAC@lists.carbon0albany.org)

<http://lists.carbon0albany.org/listinfo.cgi/acac-carbon0albany.org>

9/21/2021

From: Ed Fields

To: Planning and Zoning Commission

San Pablo Avenue Specific Plan – Revised Land Use Framework & Policies

“Each of these deals rested on a fact that is obvious but sometimes oddly hard for government officials to appreciate, which is that most of land’s value is tied up in the rules for how much you can build on it, and government makes the rules. In the case of that first 166-unit development, all it took was some meetings and a vote, a stack of paper and some political will, and suddenly the land was valuable enough to support 66 units of subsidized workforce housing for middle-income families. In essence, BRIDGE was showing California governments just how expensive overzealous zoning regulations had made developable land, then persuading them to unlock free affordable housing money by changing the rules to allow more density, although nobody ever talked about it that way.”

*Golden Gates, The Housing Crisis and a Reckoning for the American Dream*

Conor Dougherty

From the Staff Report:

### **Community Benefits/Objective Standards**

“To capture the value that the City is providing to private property owners in the form of rezoning...”

The current proposal requires minimal Community Benefits. Up to 68 feet and 3.5 FAR need do no more than provide two amenities from List B, e.g. On-site Public Art, all electric construction, or 5% solar! These are practically requirements now. No additional below market-rate units are required. This a give-away of tremendous community value by nearly doubling the height limits with no requirement for additional affordable housing.

Projects that exceed 68 feet and 3.5 FAR are only required to “increase the below-market rate unit requirement from 15% to 20%” along with one or two amenities.

Other thoughts and comments.

On Kains Avenue at Portland Avenue, 9 three-story townhouses are being constructed on a 10,000 sq ft lot. That is 39 units per acre, and these are 3-bedroom, 3-bath units. By most standards, 39 units per acre is considered high density.

The Staff Report proposes no limit to density, and a State Density Bonus can be requested without an actual increase in density for the purpose of requesting waivers for height, FAR and setbacks, for example. What is being proposed is absolutely no limit on construction if a developer uses fire resistant or noncombustible building materials.

Page 5 bottom and Page 6 Policy LU-2, what is meant by “broadens ground-floor commercial requirements and narrows exceptions....”? Currently, “Ground floor building frontage along San Pablo Avenue is reserved for commercial activity, except for any necessary access to residential facilities;” this proposal reduces the requirement for ground floor commercial use or eliminates it with a CUP or a listing as an opportunity site in the Housing Element.

On page 2 the policy objective for San Pablo Avenue is “as stated in the General Plan Land Use Designation for the corridor, to enable: ‘a transformation of this corridor from auto-oriented commercial uses to more attractive, pedestrian-oriented, mixed use development.’” Can it still be called mixed use development if you eliminate the commercial component?

Top of page 10, the Potential Zoning illustration has stretched the SPC building to the rear property line compared to the Existing Zoning illustration directly above it.

Policy LU-3, 1) should read allow an additional 30-47 feet in building height in the SPC district. 38 plus 47 equals 85 feet. It should state that community benefit thresholds must be met even for buildings which exceed 38 feet in height up to 68 feet, to be consistent with LU-4.

Policy LU-3, 2) should also state that community benefit thresholds must be met for projects with a FAR of between 2.25 and 3.5, to be consistent with LU-4.

Policy LU-3, 7) states: “Additional Modifications: The Planning & Zoning Commission may approve additional modifications to the development standards described above, and any other development standards and parking requirements with the making of findings (TBD).” Then why do we need to have a Zoning Code at all?

Figure 2 thru Figure 5. Should show SPC Half-Block Building Height 68 feet on a 100-foot deep lot.

Page 12-13, Table 3: State Density Bonus Law generally limits Residential Density Bonus to 50% over Zoning Code maximum, not “No limit” as shown in the Table. The State Density Bonus Law does not have a limit to FAR increases with a waiver, while the Table shows a limit of 35% bonus FAR under the Law.

Attachment #2 states: “The framework does propose zoning map amendments from SPC to the High Density Residential (R-3) on the parcels fronting Kains Avenue south of Washington Avenue, and the related General Plan map amendments (see inset maps on Figures 1 and 2).” These parcels are currently zoned R-3 and it appears that it is proposed to change them to SPC, but the reverse is stated.