



STAFF REPORT

TO: PLANNING COMMISSION

FROM: Corey Simon, Senior Planner

DATE: February 23, 2010

SUBJECT: Public hearing to review proposed zoning text amendments to the Martinez Municipal Code Chapter 22.36; Off-Street Parking. Proposed changes include: adjusting the minimum required parking for multi-family residential development; establishing a city-wide requirement for guest parking in multi-family residential development; and modifying the design standards and use restrictions of driveways and garages that are used for required parking. The Planning Commission will make its recommendations to the City Council, which will consider the possible amendments at a future date to be announced.

RECOMMENDATION:

Adopt PC Resolution No. 10-01 recommending to the City Council adoption of an Ordinance amending the Zoning Ordinance, Title 22, Chapter 36 (Off-Street Parking) of the Martinez Municipal Code.

BACKGROUND:

The City's last compressive zoning code update was in 1975. Since that time most of the City's zoning code revisions have been concerned with relatively narrow issues (e.g. recreational vehicle parking restrictions). Over the years, the more broad body of regulations has become increasingly out-of-date and while not necessarily obsolete, some of these regulations and processes hamper the City's ability to efficiently address the review of development applications. Given the built-out nature of Martinez, the problem has become most evident in requests to approve in-fill residential developments. In addition to the two topics already addressed by the Planning Commission in 2009 – Minimum Open Space requirements and Planned Unit Development (PUD) review process – the recent application for the Cascara Canyon multi-family project has lead staff to also revisit the City's multi-family parking requirements. While there has been several multi-family projects built within the Downtown Overlay District, which was established in 1996 with relatively more lenient parking requirements, there has not been any apartment style multi-family construction

in the City since the 1980's. Similar to what was found problematic with the City's current requirements for Outdoor Open Space and Planned Unit Development approval, the current applications have also revealed that the City's requirements for Off-Street Parking for multi-family housing outside the Downtown Overlay District may also be out of sync with actual demand and current best practices.

With the Commission having completed its review and recommendations to the City Council regarding Minimum Open Space requirements and Planned Unit Development review process, its review of multi-family parking requirements will complete the most pressing of desired code updates. Staff intends to bundle the recommended changes to Usable Open Space standards, PUD processing and Off-Street Parking requirements into one enacting ordinance for the City Council's consideration in early 2010.

DISCUSSION:

Topic 1: Background for current Multi-family Parking requirements.

All of the City's current requirements for multi-family parking were established in 1996, concurrently with the establishment of the Downtown Overlay District. As a predecessor to the more recently adopted 2006 Downtown Specific Plan, the Downtown Overlay District was intended to foster new residential construction in the older downtown area through the application of more lenient development standards than were applied elsewhere in the City. In addition to reducing minimum yard requirements, the Downtown Overlay established multi-family parking requirements that are less demanding than those to be applied elsewhere in the City:

MULTI-FAMILY PARKING REQUIREMENTS, PER UNIT, AS ESTABLISHED IN 1996, SEC 22.36.080

		<i>(Covered)</i>	<i>(Open)</i>
<i>Multiple family</i>	<i>All districts except sites included in the Downtown Overlay District</i>	1	1¼
<i>Multiple family</i>	<i>Downtown Overlay District (except projects on streets where bike lanes are proposed)</i>		
<i>studio</i>		1	
<i>1 bedroom</i>		1	½
<i>2+ bedrooms,</i>		1	1

Guest Parking: Additional required guest parking spaces shall be ¼ space if there are over 4 units. The required guest spaces shall be additive and rounded off to the higher number. The Planning Commission may approve tandem guest spaces if it can be found that residents will not be inconvenienced by this arrangement.

(NOTE TO PLANNING COMMISSION: Parking requirements within Downtown Overlay may be further reduced to 1 space per unit per Sec. 22.13.030; Conditional Uses in Downtown Overlay District)

A requirement for 2¼ parking spaces for all multi-family units, regardless of the number

of bedrooms, was unusually high even by the standards of the mid 1990's. Prior to the City's adoption of Condominium Subdivision regulations (Title 21, Chapter 54), the City required 1½ spaces per unit for all multi-family construction. The more stringent requirement of 2¼ spaces per unit was most likely established for condominiums as a means of encouraging larger and higher cost ownership units. Most likely for the same reason - to encourage larger more expensive units - the higher standard required was made a requirement for all multi-family construction, except in the newly established Downtown Overlay District, in 1996.

Topic 2: Application and shortcomings of current Multi-family Parking requirements.

Based on the construction activity staff is aware of since 1996, the following observations can be made:

- There has been no apartment style multi-family construction outside of the Downtown Overlay District in over 10 years. While it is unknown to what degree the relatively more demanding parking requirements have played in reducing multi-family construction outside the Downtown Overlay District, it is generally recognized that suburban style multi-family construction peaked in the mid and late 1980's. Factors since then, such as changes in tax laws, interest rates, land availability and other market conditions were all most likely greater influences.
- Recent Cascara Canyon application (2009) has highlighted that the current requirement for 2¼ spaces per unit is out of sync with both actual demand and requirements of neighboring communities. With the onset of the market downturn in the late 2000's, financial conditions appear to have restarted interest in the development of apartment style multi-family construction. The 2009 Cascara Canyon application (Shell Avenue) was the first market rate project in decades to propose a mix of one- and two- bedroom flats, as opposed to what had been the more common two- and three- bedroom townhome configuration. Parking studies done for the Cascara application's environmental analysis places actual parking demand for such multi-family projects in the range of 1.2 to 1.6 spaces per unit. The table provided as "Attachment A" compares the multi-family parking requirements of neighboring jurisdictions, all of which are closer to the observed demand than the City's current City-wide requirement for 2¼ spaces per unit. Also, all other jurisdictions apply parking spaces requirements in proportion to the units' number of bedrooms while the current requirement for 2¼ spaces is applied to all units, regardless of size.
- Non-discretionary parking requirements within Downtown Overlay District (as per 22.36.080, above) rarely applied in practice. While the parking requirements within the Downtown Overlay are more in sync with actual demand and neighboring agencies (studios requiring one space, one-bedroom units requiring 1½ spaces, and two-bedroom units requiring 2 spaces), these provisions have rarely been used, as Section 22.13.030.D allows the Planning Commission to approve parking at a rate of 1 space per unit, regardless of unit size. Since most all development in the

Downtown Overlay requires Use Permit approval to allow the maximum density permitted within the District, and most all development has been subject to Planning Commission review because the higher density often requested, the reduction in parking has been both requested and approved on currently with the desired higher density. It must be stressed that such projects have typically been small, ranging from 3 to 6 units, and in settings where on-street parking would be plentiful. Staff would not recommend extending such a process beyond the Downtown Overlay, where larger projects and/or lack of on-street parking could both be problematic. Other minor observations are:

- “Bikelane” exclusion has not been used. The current Downtown Overlay Parking Requirements are not to be applied “where bike lanes are proposed.” (per Section 22.36.080.C) The 1992 General Plan Circulation Element proposed bike Lanes on Marina Vista Alhambra, Berrellesa, Escobar, and Court/Pine Streets. It appears that it was the City’s intent to apply the Citywide requirement for 2¼ spaces on those streets within the Downtown Overlay where parking lanes were to be removed for bikelanes. At this time, both the Alhambra Avenue and Berrellesa Street bike lane have been installed. Both parking lanes have been retained on Alhambra, but the parking lane has been removed from southbound Berrellesa Street. But this “exclusion” for streets with bike lanes does not apply to the Planning Commission’s ability to approve parking at 1 space per unit, per Section 22.13.030.D. Staff is not aware of a single instance where reduced parking (per Section 22.13.030.D) has not been permitted on Berrellesa Street.
- Studio units have not been built. Staff is not aware of the construction of any studio units either inside or outside of the Downtown Overlay district.

Topic 3: Recommended changes to Multi-family Parking requirements.

Based on the above observations, staff is recommending that the parking requirements for both City-wide and Downtown Overlay District be simplified and consolidated as outlined below (the Planning Commission’s ability to approve one space per unit in the Downtown Overlay per Section 22.13.030.D would be unaffected.). The complete text of the proposed regulations is provided as Exhibit 1 of “Attachment B,” a draft resolution recommending approval to City Council:

MULTI-FAMILY PARKING REQUIREMENTS, PER UNIT, AS PROPOSED

Dwelling Type	Zoning Districts	Required Parking Spaces Per Dwelling Unit**	
		Covered	Open
Multiple family	All districts except sites included in	1	1¼

the Downtown Overlay District

1 bedroom or less	1	1 1/4 1/2
2 bedrooms or more	1	1 1/4 1

<i>Multiple family²</i>	<i>Downtown Overlay District</i>	
	<i>(except projects on streets</i>	
	<i>where bike lanes are proposed)</i>	
<hr/>		
<i>studio</i>	<hr/> 1	
<i>1 bedroom</i>	<hr/> 1	<hr/> 1/2
<i>2+ bedrooms,</i>	<hr/> 1	<hr/> 1

Guest Parking **for multiple family projects of five or more units: For projects of five or more units, an additional required guest parking space shall be 1/4 parking space if there are over 4 units, above that which is required in Section 22.36.030.A above, shall be provided for each unit.** *The total of required guest spaces shall be additive and rounded off to the higher number. The Planning commission may approve tandem guest spaces if it can be found that residents will not be inconvenienced by this arrangement.* [NOTE TO COMMISSION: This 1/4 space requirement would now apply to all multi-family projects of 5 or more units throughout the City, not just in the Downtown overlay.]

Topic 4: Other Recommended technical changes to Parking Requirements.

While staff is unable to conduct a comprehensive review and update of all parking regulations at this time, the two topics below are integral to the residential Parking Table in Section 22.36.030, and should be clarified at this time (again, Exhibit 1 of "Attachment B" contains the complete text).

- Ability to use driveways for required parking very limited. A current note at the bottom of the table states "Driveways shall not be counted as part of any required parking." While such a regulation is common, staff is aware that some confusion has arisen over the years as to the status of the "open driveway space" in front of garages in the Downtown Overlay District. At times, these spaces have been counted toward meeting required parking per Section 22.36.030. Staff has proposed the following clarification, so only those spaces not within the front and street-side yards may be counted.

Driveways that are either within a minimum required front or street-side side yard, or serve more than one unit, shall not be counted as part of any required Open parking pursuant to this Section.

Such a clarification would be especially relevant to owners of older single-family homes within the Downtown area, where the requirement for 2/off-street parking spaces is often met with a small single car at the rear corner of the property, and a long driveway within the side yard.

- Use and size of garages. The City's current regulation on the use of garages for car storage currently is limited to multi-family development. It is also inconsistent with

the standard language the City has been placing within the CC&R's of residential subdivisions. The City Attorney recommends the following modification, which would apply to all garages, for both single- and multi-family residential uses:

~~Garages shall not be used for storage by any outside party nor used for habitation by any party. There shall be at all times in every garage in the City sufficient space to park at least one automobile.~~ **Any garages needed to provide the Covered parking space requirements of this Section shall, at all times, be maintained in a manor which permits the parking therein of the number of vehicles for which the garage was designed.**

Staff is also proposing a similar clarification to the dimensional requirements for garages in Section 22.36.080.A, as "covered" is not required to be within a garage. The requirements for garage dimensions do, however, apply to those garages.

*Each parking space shall be not less than 20 feet in length and 9 feet in width exclusive of aisles and access drives, except that a **required covered** parking space **per Section 22.36.030.A; Parking Residential Use** ~~required to be located in an enclosed garage shall be not less than 20 feet in length and 10 feet in width, exclusive of utility areas.~~*

ATTACHMENT:

Draft Resolution, with proposed Zoning Text Amendment

F:\Community Development\All Projects\Municipal Code Changes\PARKING STANDARDS - Multi-Family\MFParkingRev-PC-Rpt 2010.02.23.doc

RESOLUTION NO. PC #10-01 [DRAFT]

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF MARTINEZ,
RECOMMENDING THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING THE
ZONING ORDINANCE, TITLE 22, CHAPTER 36 (“OFF-STREET PARKING”) OF THE
MARTINEZ MUNICIPAL CODE RELATING TO MINIMUM REQUIRED PARKING FOR
MULTI-FAMILY RESIDENTIAL DEVELOPMENT; REQUIREMENT FOR GUEST
PARKING IN MULTI-FAMILY RESIDENTIAL DEVELOPMENT; AND DESIGN
STANDARDS AND USE RESTRICTIONS OF DRIVEWAYS AND GARAGES**

WHEREAS, Section 22.36.010 of the Martinez Municipal Code states that the major purpose of establishing off-street parking requirements is to alleviate or to prevent traffic congestion and shortages of on-street parking; and

WHEREAS, off-street parking spaces are to be provided, as prescribed by Chapter 36, incidental to the development of new land uses and the enlargement of existing land uses; and

WHEREAS, the purpose statement of Chapter 36 states that the number of spaces to be prescribed by the Chapter is to be in proportion to the need for such facilities as created by the particular type of land use; and

WHEREAS, the current parking space requirement for multi-family development, other than for development within the Downtown Overlay District, is for 2¼ spaces per multi-family unit, regardless of unit size; and

WHEREAS, the current parking requirement for single family homes is for 2 spaces per unit; and

WHEREAS the current requirement for 2¼ spaces per multi-family unit was established in 1996 when the anticipated type of multi-family development was envisioned to be larger units with multiple bedrooms, rather than for smaller studio and one-bedroom units; and

WHEREAS, the requirement for 2¼ spaces per unit is proportional to the demand for parking of larger multi-family units with multiple bedrooms, which is similar to the demand for parking of single-family homes; and

WHEREAS, in 1996, a relaxed off-street parking standard was adopted for multi-family development in the Downtown Overlay District, requiring 1 space per studio unit and 1½ spaces for one-bedroom units; and

WHEREAS; the application of less stringent parking requirements within the Downtown Overlay District was both a reflection of the anticipated demand for studio and one-bedroom units within the Downtown Overlay area, and was intended to serve as an incentive for such residential development to occur within the Downtown Overlay District; and;

WHEREAS, since 1996, several multi-family projects with one-bedroom units have been built within the Downtown Overlay District, while no multi-family project with units of less than two-bedroom size have been built outside of the Downtown Overlay District; and

WHEREAS, since the recent economic downturn, the market viability and developer interest in constructing multi-family projects outside the Downtown Overlay District with one-bedroom units has risen; and

WHEREAS, an application to allow the construction of a multi-family development with a majority of one-bedroom units was made in March 2009, which included a request for an exception to the requirement for 2¼ parking spaces per unit; and;

WHEREAS, an Initial Study and Draft Mitigated Negative Declaration was prepared for the project, which included an analysis of estimated parking demand for the proposed multi-family units. The City's consultant traffic engineer measured actual parking demand for similar multi-family developments in the neighboring City of Concord, and found demand ranging from 1.17 to 1.64 spaces per unit; and

WHEREAS, a review of neighboring Agencies' multi-family parking requirements shows requirements for one-bedroom units are typically 1½ spaces per unit, with guest parking requirements ranging from ¼ to ½ space per unit; and

WHEREAS, the City's current requirement for 2¼ spaces for all multi-family units thus appears inconsistent with the intent of Chapter 36, regarding parking requirements being in proportion to the need for such facilities as created by the particular type of land use; and

WHEREAS, staff anticipates that given the declining economic climate for larger units and ownership housing, an increase in applications for more multi-family development with smaller units can be anticipated; and

WHEREAS, should those applications be made, it would not be reasonable for every applicant to request an exception to parking standards that appears to be disproportional to actual demand; and

WHEREAS, the proposed revisions to multi-family parking requirements would make such regulations more proportional to the actual demands for resident and guest parking both inside and outside of the Downtown Overlay District; and

WHEREAS, staff has proposed an update of driveway and garage use restriction to likewise be consistent with actual usage, and the restrictions currently required by similar agencies; and

WHEREAS, the adoption of the proposed text amendments is categorically exempt from the requirements of CEQA, under Section 15305 (Minor Alterations in Land Use Limitations) of the CEQA Guidelines; and

WHEREAS, the Planning Commission held a public hearing on February 23, 2010, and listened to testimony from the public.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby recommends that the City Council adopt an ordinance amending Title 22, Zoning Ordinance of the Martinez Municipal Code to incorporate said revisions as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

* * * * *

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the Planning Commission of the City of Martinez at a regular meeting of said Commission held on the 23rd day of February, 2010 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

BY: _____

Frank Kluber
Planning Commission Chair

Corey M. Simon
Senior Planner

EXHIBIT A

PLANNING COMMISSION RESOLUTION 10-01 (DRAFT); FEBRUARY 23, 2010

MULTI-FAMILY PARKING – 2010.02.08 - DRAFT CHANGES

PROPOSED NEW CODE SHOWN AS: **Proposed new rules**

PROPOSED DELETED CODE SHOWN AS: ~~Text to be deleted~~

22.36.030 Parking--Residential Uses.

A Parking shall be provided for residential development in accordance with the following table:

RESIDENTIAL USES TABLE

Dwelling Type	Zoning Districts	Required Parking Spaces Per Dwelling Unit**	
		Covered	Open
A1. Single family	All districts except R-1.5, R-2.5 and R-3.5	2	0
Single family	R-1.5, R-2.5 and R-3.5	1	1
B2. Multiple family [±]	All districts except sites included in the Downtown Overlay District	1	1¼
	1 bedroom or less	1	1¼ ½
	2 bedrooms or more	1	1¼ 1
C. Multiple family[±]	Downtown Overlay District (except projects on streets where bike lanes are proposed)		
studio		1	
1 bedroom		1	½
2+ bedrooms,		1	1

Guest Parking **for multiple family projects of five or more units: For projects of five or more units, an** additional required guest parking space shall be **¼ parking** space if there are over 4 units, **above that which is required in Section 22.36.030.A above, shall be provided for each unit.** The **total of** required guest spaces shall be additive and rounded off to the higher number. ~~The Planning commission may approve tandem guest spaces if it can be found that residents will not be inconvenienced by this arrangement.~~ [NOTE TO COMMISSION: This ¼ space requirement would now apply to all multi-family projects of 5 or more units throughout the City, not just in Downtown overlay.

<p>3.D. Lodging houses, apartment hotels, motels and private clubs providing-sleeping accommodations.</p>	<p>All districts</p>	<p>The greater of 1 covered or open space per guest room or 1 covered or open space per 2 beds</p>
<p>4. Subsidized or assisted senior citizen housing.</p>	<p>All districts</p>	<p>.35 covered or open spaces per dwelling unit</p>

~~Note: Additional off-street parking may be required in amounts to be determined by the Planning Commission.~~ [NOTE TO COMMISSION: In the original 1975 code, this comment was only applicable to single-family subdivisions in the R-1.5, R-2.5 and R-3.5 district, when at that time, only one parking space per single-family unit was required. This "Note" no longer seems applicable, as two spaces per unit are now required. Staff recommends removal]

~~* ——— Garages shall not be used for storage by any outside party nor used for habitation by any party. There shall be at all times in every garage in the City sufficient space to park at least one automobile.~~ [NOTE TO COMMISSION: This "note" codified the sub-section "C" below, and made applicable to *all* residential garages used to meet requirement for covered parking, not just those within *multiple-family* development]

~~** Off street, screened and fenced parking for recreational vehicles may be required in amounts to be determined by the Planning Commission for all projects in excess of 10 dwelling units.~~ [NOTE TO COMMISSION: This "note" codified the sub-section "D"]

~~For subsidized or assisted senior citizen housing, there shall be a minimum of .35 parking spaces per dwelling unit.~~ [NOTE TO COMMISSION: Parking requirements for "subsidized or assisted senior citizen housing" codified within sub-section "A" above, a distinct Dwelling Type under Section 22.36.030.A.4]

B Use of driveways to meet minimum parking space requirements of this Section: Driveways **that are either within a minimum required front or street-side side yard, or serve more than one unit,** shall not be counted as part of any required **Open** parking **pursuant to this Section.**

C Restriction on use of garages: ~~Garages shall not be used for storage by any outside party nor used for habitation by any party. There shall be at all times in every garage in the City sufficient space to park at least one automobile.~~ **Any garages needed to provide the Covered parking space requirements of this Section shall, at all times, be maintained in a manner which permits the parking therein of the number of vehicles for which the garage was designed.**

D Ability for Planning Commission to require RV parking facilities: Off-street, screened and fenced parking for recreational vehicles may be required in amounts to be determined by the Planning Commission for all projects in excess of 10 dwelling units.

22.36.080 Parking--Design Criteria.

- A. Off-street parking facilities provided in compliance with this chapter shall meet the following design and dimension criteria:
1. Each parking space shall be not less than 20 feet in length and 9 feet in width exclusive of aisles and access drives, except that a **required covered** parking space **per Section 22.36.030.A; Parking Residential Use** ~~required to be~~ located in an enclosed garage shall be not less than 20 feet in length and 10 feet in width, exclusive of utility areas.

* * *