



## Planning Commission Staff Report

February 26, 2014

Item 6.b.

**SUBJECT:** P14-0001

**APPLICANT:** City of Pleasanton

**PURPOSE:** City initiated application to amend Title 17 and Title 18 of the Pleasanton Municipal Code to implement the Climate Action Plan by requiring dedicated parking spaces for alternative vehicles and by providing a transit incentive

**GENERAL PLAN:** Climate Action Plan Strategy TR1, Action TR1-6  
Strategy TDM2, Actions TDM2-7 and TDM2-10  
General Plan Circulation Element Goal 4, Policies 15 and 21

**ZONING:** Various

**LOCATION:** Citywide

**EXHIBITS:** A. [Proposed Code Amendment](#)  
B. [BART Station Proximity](#)  
C. [TransLink for TOD Pilot Project, Executive Summary](#)

---

### BACKGROUND

The subject application is a City-initiated amendment to the Pleasanton Municipal Code to promote commute alternatives and reduce average daily vehicle trips. This amendment is prescribed by both the Climate Action Plan (CAP), adopted February 7, 2012, and by the Circulation Element of the General Plan, as follows:

#### Climate Action Plan

*Strategy TR1: Improve and increase transit ridership with incentives, partnerships and related investments*

Action TR1-6: Modify municipal code to require new residential developments within 1/2 mile of transit to offer discounted transit passes as part of HOA amenities.

*Strategy TDM2: Promote Alternatives to Work and School Commutes*

Action TDM2-7: Modify municipal code to require new and substantial developments within 1/4 mile of transit to provide transit passes or other transit use incentives for an interim period sufficient to establish transit use.

ActionTDM2-10: Modify municipal codes to require dedicated parking spaces in new and modified developments for carpool, vanpool, alternative-fuel, and car-share vehicles.

Circulation Element of the General Plan

*Goal 4: Provide a multi-modal transportation system which creates alternatives to the single-occupancy automobile.*

Policy 15: Reduce the total number of average daily traffic trips throughout the city.

Policy 21: Support the use of alternative fuel vehicles.

Program 21.1: Encourage the construction of infrastructure for and use of alternative fuel vehicles.

The Planning Commission's subcommittee for implementation of the CAP has discussed this amendment and is supports its provisions. The amendment, as shown in Exhibit A, would result in modifications to the parking regulations and multi-family residential district regulations in Title 18, and addition of a new chapter in Title 17. The transit incentive provisions described in this report were previously imposed on larger discretionary residential development projects on a case by case basis through the use of a condition of approval.

**DISCUSSION**

In Pleasanton, as in most cities, the transportation sector is identified as the dominant source of greenhouse gas emissions. According to the CAP, in 2005 on-road transportation accounted for 52.1 percent of the overall community emissions. To reduce this emissions source the CAP incorporates both land use and transportation measures that are designed to reduce vehicle miles traveled.

This amendment implements the CAP by promoting alternative forms of transportation in two ways:

- 1) providing the transit incentive prescribed by TR1-6 and TDM2-7, and
- 2) requiring dedicated parking for alternative vehicles as prescribed by TDM2-10.

Each of these is discussed below.

**1) Transit incentive**

This code amendment would require that new multi-family housing projects provide a transit benefit for residents in order to establish transit use patterns. The proposed provisions are as follows:

*Applicability*

The requirement would apply to new multi-family dwellings of 20 units or more that are located within 1/2-mile of a BART station.

### *Proposed requirement*

Owners of multi-family housing would provide to each dwelling unit a pass for local bus transit for unlimited local travel for a period of six months. For rental apartments the property owner would provide this benefit for a period of 15 years each time a unit is leased or rented. For condominiums the project developer would provide the transit benefit to buyers only at the initial sale of each unit.

### *Analysis*

Both TR1-6 and TDM2-7 prescribe discounted or free transit passes to decrease auto dependency by incentivizing transit ridership. In many California cities, transit amenities have been applied to residential projects in the form of discounts or passes of limited duration. This is usually done through a special transit agency program such as ECO Passes, as part of a Transportation Demand Management (TDM) program, through a condition of project approval, or under the administration of a transportation management association. An excellent example of a transit amenity is Hacienda's ECO Pass program which enables all of the park's employees and affiliated residents to ride the local Wheels buses for free seven days a week, 365 days a year. Specific mandates in municipal codes for transit subsidies are uncommon, although this may change as California cities strive for more sustainable development. The City of Berkeley's zoning regulations require that a transit benefit be provided in the downtown area to residents and employees for all projects over 20,000 square feet. This is combined with very low parking ratios. Also, the City of Santa Monica is currently developing a specific plan around a new transit station that will require residential developers to provide transit subsidies in perpetuity.

Although there are language differences between Action TR1-6 and TDM2-7, they share the intent of providing transit incentives for residents near transit, so the objective of this proposed code amendment is to develop one simple regulation to satisfy both actions. To resolve differences in language, staff and the Planning Commission subcommittee for CAP implementation made the following determinations:

- Funding source. TR1-6 recommends that discounted transit passes be provided as an HOA amenity. Not all new residential developments will have an HOA; some will be rental apartments. And, for those that do have HOAs the City does not have the authority to mandate that homeowners who do not use transit subsidize those who do. Therefore it is recommended that the funding source for the transit benefit for ownership units (condominiums) be the owner of the project at the time of initial sale of the units.
- Interpretation of 'transit'. TR1-6 targets *developments within 1/2 mile of transit*, whereas TDM2-7 is targeted to *developments within 1/4 mile of transit*. In both cases 'transit' is interpreted to mean a BART station because they are at fixed locations where transit oriented development is encouraged, whereas bus stops and routes may change over time and, a large proportion of future higher density housing is likely to be close to the BART station environs as transit oriented development. The larger radius of 1/2 mile is recommended because it has the potential to capture more future projects. (See BART station proximity map, Exhibit B.)

- TR1-6 states that the requirement is for *new residential developments*, whereas TDM2-7 specifies *new and substantial developments*, and CAP Appendix D clarifies that TDM2-7 should apply to residential developments with 20 units or more. New lower density residential development is highly unlikely to be located near a BART station and therefore the threshold of 20+ units is recommended.
- TR1-6 is directed toward *discounted transit passes* with no duration specified, and TDM2-7 promotes *transit passes or other transit use incentives for an interim period sufficient to establish transit use*. It is recommended that transit passes be provided free of charge to residents (one per unit) for a period of six months. This approach is comparable to a pilot program sponsored by the Metropolitan Transportation Commission and AC Transit which was successful in establishing transit use. (See TransLink for TOD Pilot Project, Executive Summary, Exhibit C.)

This proposed amendment would add a new chapter to Title 17 entitled *Transit Incentive*. For added clarity, a reference to this new section would be inserted in Chapter 18.36 (RM Multi-family Residential Districts).

## 2. Dedicated parking for carpool/vanpool, car-share, and alternative fuel vehicles

The proposed provisions for requiring parking for alternative vehicles are as follows:

### *Applicability*

Alternative vehicle parking requirements would apply to projects involving construction of multi-family residential, office, and industrial development that exceed the following size thresholds:

- Multi-family residential: Construction of 100 or more new multi-family dwelling units, including residential portions of mixed use projects
- Office: New construction, major alteration or enlargement of office space resulting in 30,000 gross square feet of additional floor area
- Industrial: New construction, major alteration or enlargement of industrial space resulting in 40,000 gross square feet of additional floor area

### *Proposed requirements*

Multi-family residential: Multi-family projects meeting the size threshold would be required to include off-street spaces that are electric vehicle charging stations conveniently located for use by residents and employees in the following amounts:

	EV charging spaces required
First 100 units	2*
Each additional 50 units	1*

\* Per accessibility requirements, one of the first two EV charging spaces shall be van accessible, and at least one additional van-accessible charging space shall be provided for every additional 6 spaces.

In addition, projects that include parking structures for interior parking would be required to provide 10% of the interior spaces as electric vehicle charging stations. Townhouse-

style dwellings that include private garages attached to individual units would be required to include in each garage an electric vehicle outlet and service capacity for charging an electric vehicle.

Office and industrial: Office and industrial projects meeting the size thresholds would be required to provide alternative parking spaces for 10% of the normally required off-street parking. For each 10 alternative vehicle spaces provided the following minimums would apply:

- 1 carpool
- 1 vanpool
- 2 EV charging spaces, one of which is van accessible

The remaining six spaces would be designated for any combination of carpool, vanpool, car-share, or alternative-fuel vehicles including additional EV charging spaces, ethanol, biodiesel, fuel cell (hydrogen), natural gas, but not including hybrid vehicles or bi-fuel vehicles where one of the fuels is gasoline or diesel. In addition, each of these six remaining spaces would also include conduit, pull strings, and electrical service capacity so that when demand warrants these spaces may be used for parking and charging electric vehicles.

All of the required alternative vehicle parking spaces, including electric vehicle charging stations, would be counted toward the normally required off-street parking. For office and industrial uses the spaces would be clearly marked with signage and stencils and would be preferentially located near employee entrances.

### *Analysis*

These proposed provisions take into account a number of relevant factors. Alternative fuel trends are continuously evolving, with a recent surge in production of electric vehicles. Currently the California Green Building Code (CALGreen) requires that non-residential development provide "designated parking for any combination of low-emitting, fuel-efficient and carpool/vanpool vehicles" (see discussion below). Many cities in California have adopted their own alternative vehicle parking requirements for non-residential uses, but very few for residential development. And, in Pleasanton, a precedence has been established by recently approved projects that were conditioned to include carpool/vanpool parking and/or EV charging stations.

*CALGreen:* For new non-residential projects or additions or alterations that add 10 or more parking spaces, CALGreen mandates that 8% of the required parking spaces be dedicated for any combination of low-emitting, fuel-efficient and carpool/vanpool vehicles. CALGreen also provides voluntary measures that exceed the mandatory 8% in two tiers: Tier 1 is 10% of total required spaces and Tier 2 is 12%.

This code amendment proposes that for office and industrial projects that meet or exceed the size thresholds described above, the alternative vehicle parking requirements would exceed the basic (mandatory) CALGreen provisions in three ways:

1. The amount of alternative vehicle spaces required would be 10% which is 2% higher than CALGreen's mandatory amount and the same as CALGreen's voluntary Tier 1.

2. This proposal includes a requirement for EV charging spaces for multi-family residential projects. CALGreen has no alternative vehicle parking mandate for residential uses.
3. For office and industrial projects the proposed code amendment specifically mandates a minimum number of spaces for carpool, vanpool and EV charging, whereas CALGreen allows any combination.

*Thresholds and applicability:* Staff is recommending that these requirements be applied to larger projects in order to capture the largest concentrations of commuters without overburdening smaller businesses and property owners. Project size thresholds that are used in other cities for alternative vehicle parking range from 25,000+ to 350,000+ square feet. The thresholds proposed here, 30,000+ square feet for office and 40,000+ square feet for industrial, are intended to target new businesses or business parks that have the capacity to employ 100 or more employees, based on average square footage per employee. However, there may be situations where a building is large but the use requires few employees. In these cases the proposed code amendment allows for exceptions to the thresholds through a request to the Director of Community Development. All non-residential projects that are under the proposed thresholds but involve the addition of 10 or more parking spaces will still be required to conform with the CALGreen requirements discussed above.

Staff explored the possibility of applying alternative parking requirement to all new large employers including retail and institutional uses and found it to be problematic because these uses must provide off street parking for both employees and clients or customers. The off-street parking requirements do not differentiate employee (commuter) parking from client or customer parking, so it would not be possible to determine the amount of alternative parking to provide for employees only. Also, the forms of alternative vehicles identified in the proposed ordinance, such as carpool and vanpool vehicles, are generally most appropriate for commuters, and the intent of Action TDM2-10 is to provide alternatives to commutes. Therefore it is not recommended that the amendment be broadened to include retail and institutional uses. Nevertheless, large new retailers and institutional uses seeking approval to locate in Pleasanton can be conditioned to require alternative vehicle parking on a case by case basis.

The regulations would be located in a new section of the off-street parking chapter entitled *Requirements for Alternative Vehicle Parking*.

## **OUTREACH AND PUBLIC NOTICE**

A notice regarding the proposed code amendment and related Planning Commission public hearing were published in The Valley Times on February 15, 2014.

## **ENVIRONMENTAL ASSESSMENT**

The adoption of the 2012 Climate Action Plan was part of the project which was described in the Supplemental Environmental Impact Report certified by the City Council on January 4, 2012. The proposed amendment to the Pleasanton Municipal

Code shown in Exhibit A constitutes implementation of the Climate Action Plan and is therefore consistent with the project as described and analyzed in the certified SEIR. Therefore, no further environmental assessment need be conducted to adopt this code amendment.

## **CONCLUSION**

The proposed text amendment would support and promote alternatives to commuting in single occupancy vehicles, thereby reducing auto use and the associated greenhouse gas emissions. This modification to the Pleasanton Municipal Code will implement Actions TR1-6, TDM2-7 and TDM2-10 of the Climate Action Plan, and is consistent with General Plan Circulation Element Goal 4 and Policies 15 and 21.

## **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission adopt a resolution recommending approval of P14-0001 to the City Council.

Consulting Planner: Deborah Diamond  
Planning Manger: Janice Stern, (925) 931-5606, [js Stern@cityofpleasantonca.gov](mailto:js Stern@cityofpleasantonca.gov)