

## HAYWARD COMPARATIVE PARKING STUDY MEMO

DATE: December 6, 2022

TO: Elizabeth Blanton | City of Hayward

FROM: Josh Pilachowski, Alexandra Haag | DKS Associates

SUBJECT: Hayward Residential Design Study

Project # 22049-000

### INTRODUCTION

The Hayward Residential Design Study is an update to the City's zoning regulations to support the development of quality housing. Currently, the City of Hayward's (City) Municipal Code provides minimum off-street parking requirements for various land uses, with the purpose of providing off-street parking and loading facilities in developments that are in proportion to the demand created by the use. The purpose of this memorandum is to provide an overview of recent State legislation that impacts residential parking requirements, summarize the City's residential Off-Street Parking Regulations as required by the Municipal Code, compare the requirements to parking generation rates published in the Institute of Transportation Engineer's (ITE) Parking Generation Manual, 5<sup>th</sup> Edition (ITE Manual), and determine if any changes are necessary either at a city-wide or location/land-use specific level to manage parking demand and community needs.

This review focuses on the quantity of off-street parking and loading spaces required by the Municipal Code and does not cover specific design considerations such as the location of parking spaces on-site. Development standards and specific design options will be considered in the forthcoming Option and Recommendations Report.

### SUMMARY OF STATE LEGISLATION

#### SB 330 HOUSING CRISIS ACT

SB 330 strengthens the Housing Accountability Act and Permit Streamlining Act to address California's housing crisis by removing barriers to residential development, protecting existing housing inventory, and expediting permit processing. It prohibits local jurisdictions from enacting new laws that would have the effect of reducing the capacity for new housing or delaying housing development via administrative or other regulatory barriers. Specifically, SB 330 prohibits local jurisdictions from adopting development standards, including minimum off-street parking

requirements, that would reduce the intensity of the residential use that is currently allowed by the General Plan and Zoning Ordinance.

**Applicability:** The City cannot increase minimum parking requirements in some zoning districts without making a commensurate reduction in others so that overall residential development potential does not decrease.

### DENSITY BONUS LAW

State Density Bonus Law provides developers with tools to encourage the development of affordable and senior housing. Under Density Bonus Law, local jurisdictions may not require more than the following off-street parking requirements for a density bonus project.

Studio	1 parking space per unit
1 Bedroom	1 parking space per unit
2 Bedroom	1.5 parking spaces per unit
3 Bedroom	1.5 parking spaces per unit
4 Bedroom	2.5 parking spaces per unit*

*\*Note: The Municipal Code only requires 2.1 parking spaces per unit for a four-bedroom multifamily unit*

There are further reductions for projects that meet certain affordability levels, serve specific populations and are near transit. Additionally, developers can request a concession as part of their density bonus application to further reduce their off-street parking requirements.

**Applicability:** The City is required to grant parking reductions and concessions related to parking for qualifying density bonus projects.

### SB 9

SB 9 is intended to enable housing development in single-family residential zones by allowing lot splits and two dwelling units per parcel, which may result in up to four units total. Local jurisdictions may require up to one off-street parking space per unit for SB 9 projects. However, if the project site is located within one half mile walking distance of either a high-quality transit corridor or a major transit stop or is within a block of a car share vehicle, then no off-street parking is required.

**Applicability:** Within Hayward, this law applies to most Single-Family Residential (RS) zoned parcels. This limits the City's ability to enforce the off-street parking requirements summarized later in this report for these projects.

### AB 2097

AB 2097 prohibits a public agency from imposing any minimum automobile parking requirements on any residential, commercial, or other development project that is located within one half mile of a major transit stop. A "Major Transit Stop" is defined as:

- An existing rail or bus rapid transit station.
- A ferry terminal served by either a bus or rail transit service.
- The intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

AB 2097 allows local jurisdictions to impose minimum off-street parking requirements if *not* imposing the requirements would have a substantially negative impact on the jurisdiction's ability to either meet its share of specified regional housing needs or the utilization of existing parking within one half mile of the housing development. However, this provision is not applicable if the project dedicates a minimum of 20 percent of the total number of housing units to very low, low-, or moderate-income households, students, the elderly, or persons with disabilities, contains fewer than 20 housing units, or is subject to parking reductions based on any other applicable law.

**Applicability:** Under AB 2097, the developments in Hayward that will no longer have parking minimums are within one half mile of the Amtrak Station, the Hayward BART Station, and the South Hayward BART Station as shown in **Figure 1**. Currently, Hayward does not have any intersections of two or more major bus routes with a service interval frequency of 15 minutes or less. However, there are some bus routes, such as Route #99 and Route #10, that have short headways (20 minute and 17 minutes, respectively). Service increases or major transit changes in the future may result in new locations qualifying as major bus routes, limiting the city's ability to impose parking minimums in those areas.

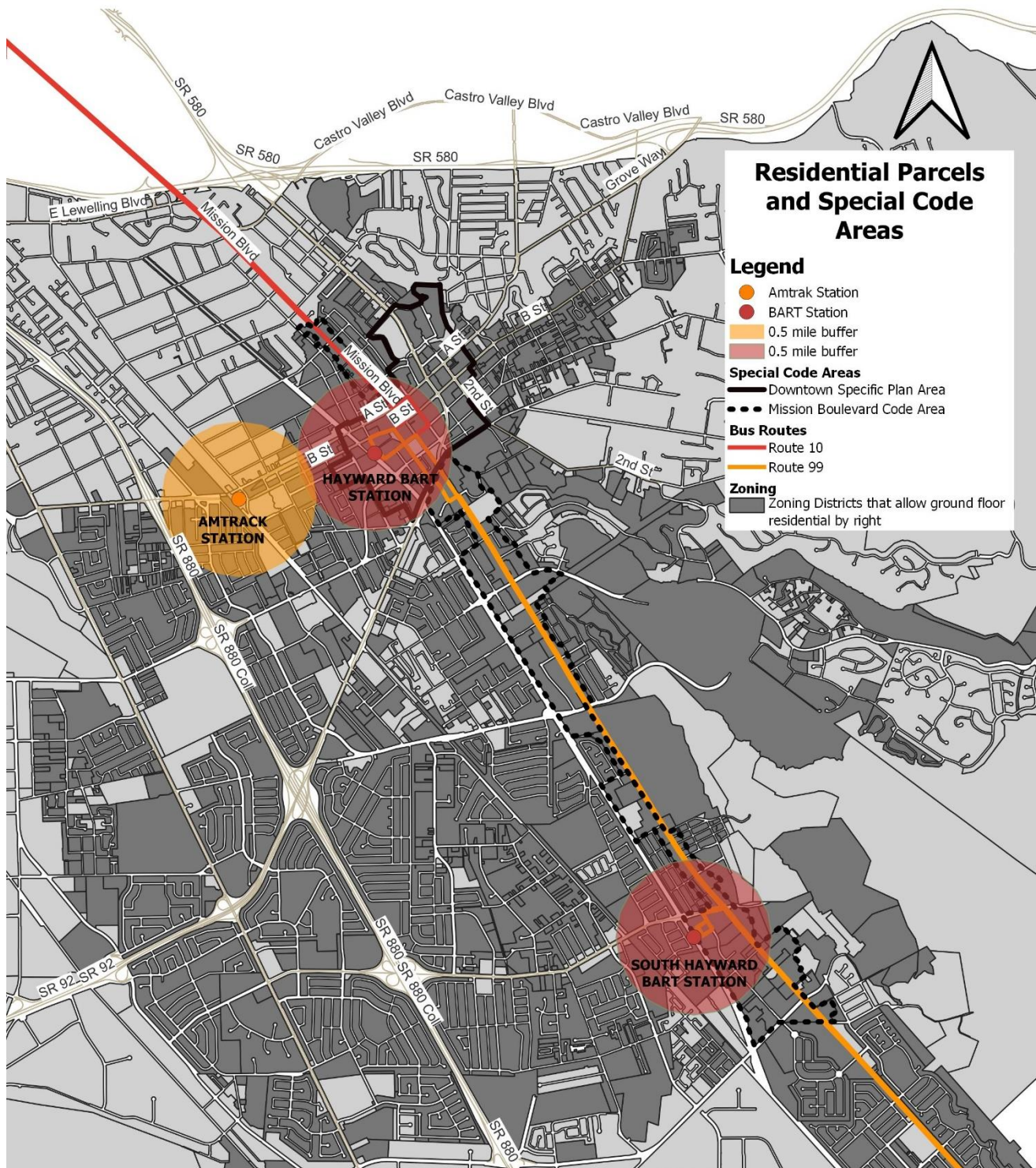


FIGURE 1: PARCELS IMPACTED BY ASSEMBLY BILL 2097

## SUMMARY OF OFF-STREET PARKING REQUIREMENTS

The off-street parking requirements for residential land uses in the City's Off-Street Parking Regulations, Mission Boulevard Code, and Downtown Specific Plan are summarized below and compared against parking rates published in the ITE Manual. The areas where residential parking rates are determined by the Mission Boulevard Code and Downtown Specific Plan are shown in **Figure 3** and **Figure 4**.

Parking rates in the ITE Manual are determined based on a range of land use descriptions, such as gross floor area, and further classified based on urban and rural land uses and by time period (typically weekday and weekend). For the purpose of comparing these rates to the City's Parking Regulations, weekday parking generation rates have been used and the most conservative land use context has been selected when applicable. ITE Manual reference codes and a full list of parking rates used are located in **Appendix A**.

### RESIDENTIAL PARKING REQUIREMENTS

The number of off-street parking spaces required for residential land uses are summarized in **Table 1** below. ITE Manual rates are provided as a range for low-, mid-, and high-rise multi-family residential developments and have been converted to an equivalent unit rate for comparison against the City's parking regulations.

#### SINGLE-FAMILY DWELLINGS

For single-family residential land uses, the City designates spaces on a per dwelling-unit basis. For single-family dwellings, 2.0 parking spaces in an enclosed garage are required. Single-family dwelling units abutting a street with no on-street parking are required to provide an additional 2.0 uncovered spaces per dwelling unit, which cannot block the garage spaces. For dwellings with a single car garage built prior to March 24, 1959, only 1.0 covered parking space per dwelling unit is required. The ITE Manual does not list rates for single-family dwelling units.

#### MULTI-FAMILY DWELLINGS

For multi-family dwelling units outside of the Mission Boulevard Code Area and Downtown Specific Plan Area, the City's parking provisions are classified by the number of bedrooms in each unit. For a studio unit, 1.0 covered and 0.50 uncovered spaces are required. For a one-bedroom unit, 1.0 covered and 0.70 uncovered spaces are required. For a two or more-bedroom unit, 1.0 covered and 1.10 uncovered spaces are required. For all unit sizes, the City requires that 10 percent of all multi-family parking spaces are designated as visitor parking. The Municipal Code does not allow "unbundling" of parking (where parking spaces are rented or owned separately from the residential units) unless explicitly stated in a condition of approval. The Municipal Code also does not allow unused spaces to be rented out to another party.

The ITE Manual's parking generation rate for multi-family units varies from 1 to 1.3 parking spaces per dwelling unit for low-, mid-, and high-rise multifamily developments. Even at a rate of 1.3 spaces per unit, the parking spaces required per the City's Parking Regulations exceed the rates published in the ITE Manual.

### **DOWNTOWN SPECIFIC PLAN PARKING REQUIREMENTS**

The Downtown Specific Plan determines parking requirements for developments within the Downtown Specific Plan Area shown in **Figure 2**. Within the Downtown Specific Plan Area, the residential parking requirement is 1 parking space per dwelling unit or 1 parking space per 500 square feet, whichever is less.

The Downtown Specific Plan allows for residential parking requirements to be located off-site, subject to the approval of the reviewing authority.

### **MISSION BOULEVARD CODE PARKING REQUIREMENTS**

The Mission Boulevard Code determines parking requirements for development within the Mission Boulevard Corridor, shown in **Figure 3** and **Figure 4**.

The Mission Boulevard Code does not require a minimum amount of parking, and instead, sets a maximum parking requirement, which is determined based on a development's proximity to transit. There is a maximum of two off-street parking spaces per residential unit allowed, except for within one-half mile of the Hayward and South Hayward BART Stations, where a maximum of 1 off-street space is allowed.

While the Mission Boulevard Code does stipulate a parking maximum, it does allow for additional parking to be provided in some circumstances. In these cases, the approving body may approve additional residential parking if all the following findings can be made:

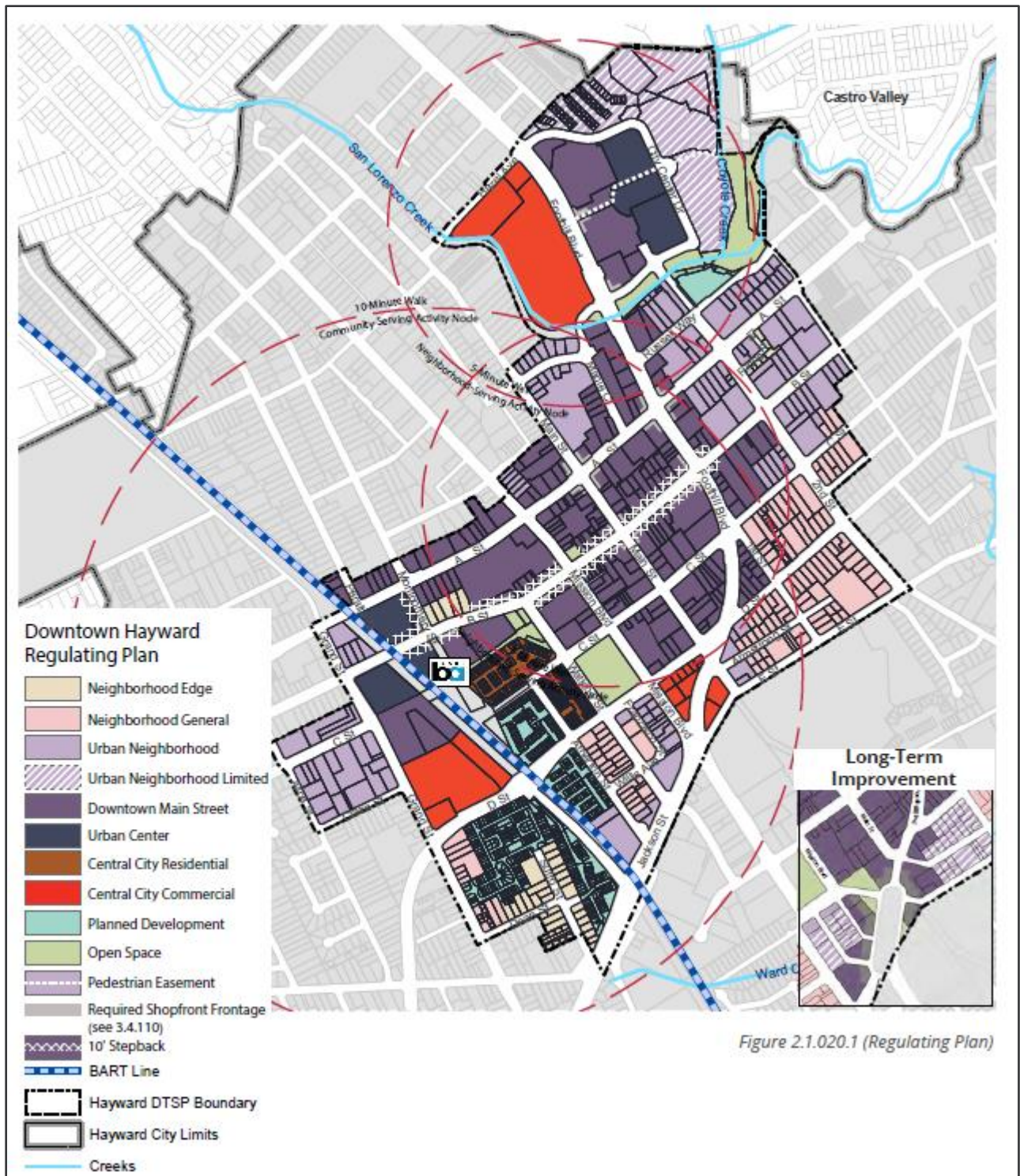
- The request is consistent with the goals and policies of the Hayward General Plan, the Mission Boulevard Code, and any other adopted policies related to parking and the multi-modal network.
- The request is supported by a quantitative justification from the applicant that the demand for the additional parking spaces exists and providing additional parking spaces is warranted; and
- The additional parking will not impede bicycle and pedestrian circulation and safety.

**Table 1** compares the residential parking requirements in the Off-Street Parking Regulations, Mission Boulevard Code, and Downtown Specific Plan, against rates published in the ITE Manual. The parking generation rates published in the ITE Manual are generally lower than the City's minimum parking requirements in the Municipal Code.

**TABLE 1: RESIDENTIAL PARKING REQUIREMENTS COMPARED TO ITE PARKING GENERATION MANUAL RATES  
(REGULATIONS SECTION 10-2.310)**

Uses	Hayward Off-Street Parking Regulations	Mission Boulevard Code	Downtown Specific Plan	ITE Parking Generation Manual, 5th Edition
<b>Single Family Dwellings</b>				
Single Family Dwelling	2.0 covered per dwelling unit	<b>no minimum</b>	1.0 space per dwelling unit, provided that the aggregate supply for all units at buildout is 1.5 spaces per dwelling unit	No Data
Single Family Dwelling - abutting public or private street with no parking lane, or no parking is permitted on both sides of street	2.0 covered per dwelling unit <b>AND</b> 2.0 uncovered per dwelling unit	<b>maximum</b> of 2.0 spaces per residential unit if greater than 0.5 miles from BART Station. Maximum 1.0 spaces if less than 0.5 miles from BART Station		No Data
Single Family Dwelling - with a single car garage built prior to March 24, 1959	1.0 covered per dwelling unit			No Data
<b>Multiple Family Dwellings</b>				
Studio	1.0 covered <b>AND</b> 0.50 uncovered per dwelling unit <b>AND</b> 0.1 visitor spaces per residential	<b>no minimum</b>	1.0 space per dwelling unit, provided that the aggregate supply for all units at buildout is 1.5 spaces per dwelling unit	1.0 to 1.3 per dwelling unit
One-bedroom	1.0 covered <b>AND</b> 0.7 uncovered per dwelling unit <b>AND</b> 0.1 visitor spaces per residential parking space	<b>maximum</b> of 2.0 spaces per residential unit if greater than 0.5 miles from BART Station. Maximum 1.0 spaces if less than 0.5 miles from BART Station		1.0 to 1.3 per dwelling unit
Two or more bedrooms	1.0 covered <b>AND</b> 1.10 uncovered per dwelling unit <b>AND</b> .1 visitor spaces per residential parking space			1.0 to 1.3 per dwelling unit

*ITE Parking Manual rates have been normalized against the same independent variable and values as the Bylaw, where applicable. Rates are rounded to the nearest 0.1*



**FIGURE 2: DOWNTOWN SPECIFIC PLAN CODE AREA**



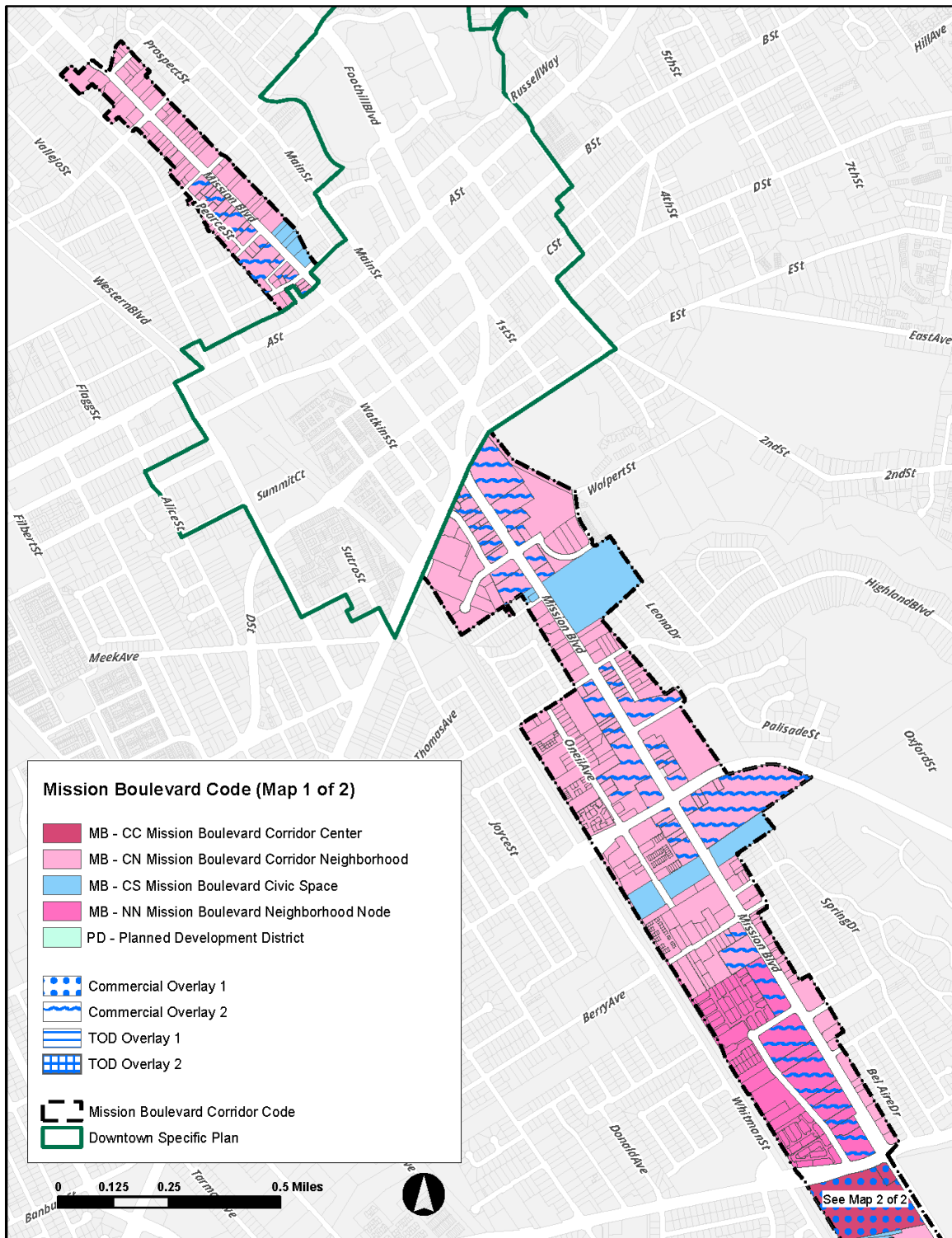


FIGURE 3: MISSION BOULEVARD CODE AREA - NORTH

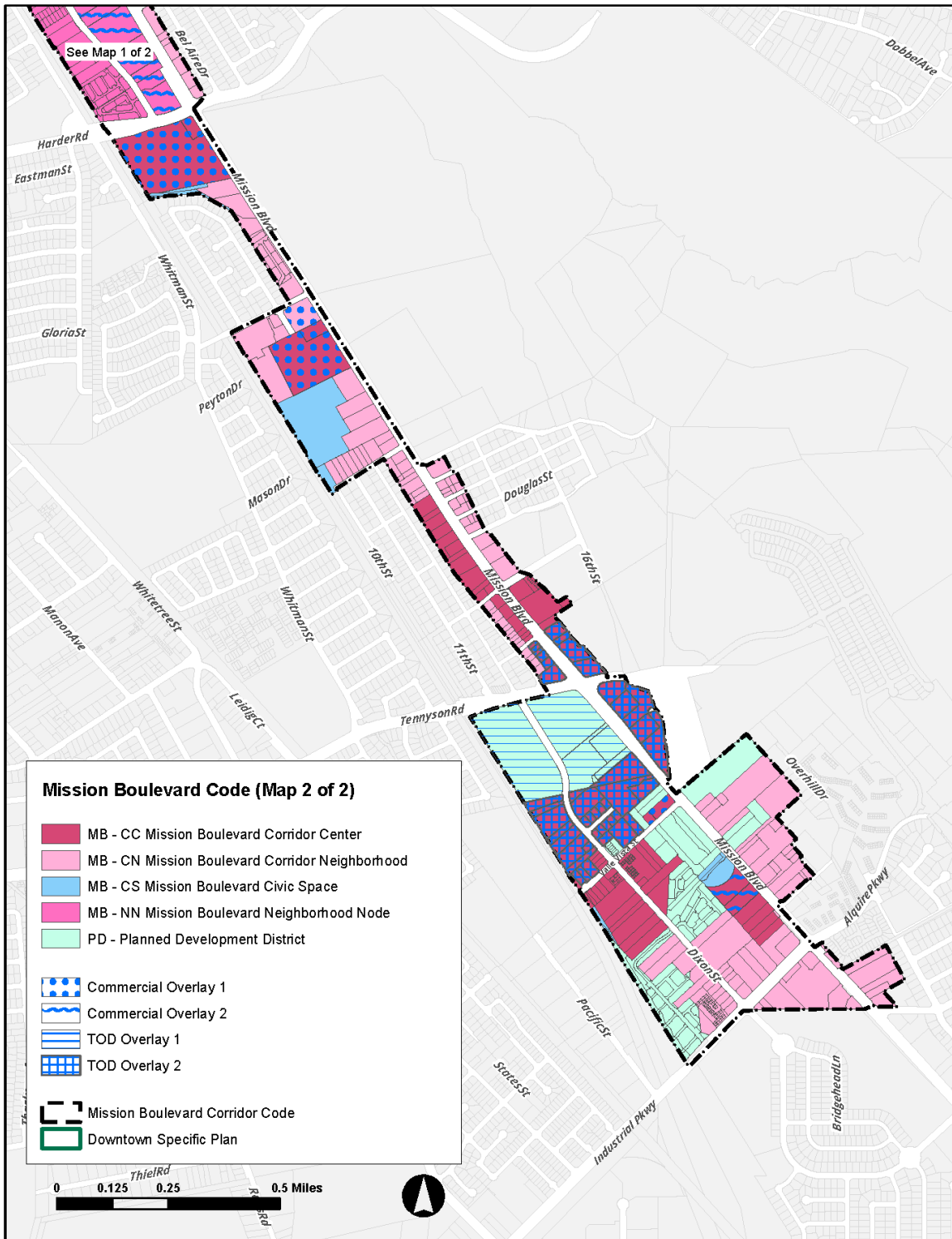


FIGURE 4: MISSION BOULEVARD CODE AREA - SOUTH

## EXCLUSIONS, REDUCTIONS AND EXCEPTIONS

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There are some opportunities for residential developments to reduce their overall minimum parking requirements from the standard rates published in the City's Off-Street Parking Regulations, as summarized below.

### **CREDIT FOR SENIOR CITIZEN HOUSING AND HOUSING FOR PEOPLE WITH DIABILITIES**

The City's Off-Street Parking Regulations allow for the reduction of parking space requirements for developments that are provided exclusively for individuals aged 62 years of age or older and/or for persons with disabilities. In these cases, the overall parking requirements may be reduced by up to 25 percent as approved by the Planning Director if

- The facility is conveniently located with respect to shopping, services, and public transportation;
- Units are permanently made available to low-income persons;
- Tenant vehicles are limited to the number of parking spaces provided, exclusive of guest parking spaces; and
- The Planning Director finds that these conditions substantially reduce the need for on-site parking.

The percent reduction obtained cannot be in addition to any other reductions.

### **CREDIT FOR TWO WHEEL VEHICLE PARKING SPACES**

The City's Off-Street Parking Regulations allows for the reduction of parking spaces in exchange for the provision of parking facilities for two-wheeled vehicles, such as bicycles and motorcycles. Additional parking spaces or facilities for bicycles, motorcycles and similar two-wheel vehicles shall be provided when more than 50 parking spaces are required. Credit for one parking space is given for every four bicycle spaces provided, and credit for one parking space is provided for every two motorcycle spaces provided. However, credit for parking spaces cannot exceed five percent of total required parking spaces.

### **TANDEM PARKING**

The City's Off-Street Parking Regulations allows tandem parking for single-family and mobile homes, and for multi-family residences in the Central Parking District when spaces are assigned to the same dwelling unit and are enclosed within a garage. If the multi-family residences are located

outside the Central Parking district, tandem parking is allowed when spaces are assigned to the same dwelling unit and are enclosed within a garage, and when

1. The development contains at least 20 units and is located within 1,000 feet of a bus route with 7-day service or a rail station;
2. No more than 35 percent of the residences are provided tandem spaces;
3. The tandem garages are spaced or grouped such that vehicular movement conflicts are minimized; and
4. The tandem garages are located such that vehicles back out into an alley or courtyard that provides access to parking facilities only.

### **CREDIT FOR OFF-SITE PARKING**

The City's Off-Street Parking Regulations allows for off-site parking through an administrative use permit, providing the following findings and conditions of approval:

1. The building or use for which application is being made shall have the main entrance located within 500 feet along a traversable pedestrian route from the farthest proposed parking space;
2. There is a useable pedestrian route along public streets or permanently established easements between the parking and the uses or structures served;
3. The adjacent or nearby properties will not be adversely affected relative to parking;
4. The proposed traffic circulation will not be detrimental to the health, safety, and welfare of residents residing or working in or adjacent to the parking; and
5. The property owner(s) must enter into a written, recorded agreement with the City, in a form satisfactory to the City Attorney, describing the off-site parking plan and including a guarantee that there will be no substantial alteration in the uses that will create a greater demand for parking, a recording of a covenant among the properties for access to and use of the off-site parking facilities, a provision stating that the City may, upon a finding by the Director of Community and Economic Development/Planning Director that there has been a change in use, modify, amend, or unilaterally terminate the agreement.

### **CITY STAFF INTERVIEWS**

Planning staff from the City of Hayward were interviewed on October 24, 2022 to provide local context regarding existing conditions, challenges, and opportunities related to residential off-street

parking. Staff emphasized a desire to “right-size” parking to meet demand without over parking and sacrificing housing units. They suggested adding an unbundling provision to the code, which would allow parking spaces to be sold or rented separately from housing units. Further, they identified sections of the code which may warrant revision, including the standard that for single family neighborhoods with no on street parking, a total of four parking spaces per home, excluding driveway spots, is required.

With respect to Mission Boulevard, staff observed that most developers are still providing parking for residential projects, even though none is required. The original reasoning for providing a parking maximum in this area was to not be overly prescriptive with parking, but rather to let the market dictate what is necessary. City staff noted that some neighborhoods in the area have instituted parking permit programs, but there are issues with expanding this program due to lack of resources for enforcement, as well as it being a staff intensive process.

## ANALYSIS AND RECOMMENDATIONS

### SUMMARY KEY FINDINGS

- Parking rates in the Municipal Code are generally consistent with or higher than comparable rates in the ITE Parking Generation Manual. Some parking rates for single family homes are notably higher, such as the requirement for four spaces if there is no on-street parking.
- The Municipal Code as it is currently written does not allow for unbundling of parking costs from the cost of renting or owning a multifamily unit.
- The Municipal Code allows for a reduced number of off-street parking spaces to be provided for non-residential developments that implement a Transportation Demand Management Plan but does not have a similar allowance for residential developments. The recently signed into law Assembly Bill 2097 prohibits any public agency from imposing minimum automobile parking requirements on development projects located within 0.5 mile of a major public transit stop and SB 9 prohibits on-street parking requirements for single family housing zones within the same distance of transit. Illustrated in Error! Reference source not found., this will primarily impact land parcels currently governed by the Mission Boulevard Code and Downtown Specific Plan or parcels adjacent to these Code Areas. Near the Amtrak Station, it will impact properties in the Santa Clara and Burbank neighborhoods.
- Due to SB 330, any increase in parking requirements that could result in reduced housing potential must have a commensurate reduction in parking requirements elsewhere to maintain overall housing potential.
- Per the Density Bonus Law, the City is required to grant parking reductions and concessions related to parking for qualifying density bonus projects.
- Staff expressed an appetite for increased flexibility in requirements and regulations so that parking supply can be right-sized for the various residential land uses and neighborhoods across the city.

## RECOMMENDATIONS

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The following recommendations have been based on a review of the existing parking requirements in the Hayward Municipal Code, a review of the recent legislation, and discussion with City staff about existing residential parking conditions and challenges.

- **Maintain no parking minimums within the Mission Boulevard Code Area and Downtown Specific Plan Code Area and evaluate impacts of AB 2097 and new projects as they come online.** It is recommended that parking minimums should not be added to the Mission Boulevard Code Area, with consideration given to Covid-19's ongoing disruption to transit service and travel patterns, the upcoming AC Transit network redesign, as well as the recently adopted AB 2097, which eliminates parking minimums within 0.5 miles of rail stations and major bus routes. This will also avoid causing any required parking reductions in other locations per SB 330. The code should continue to defer to State laws regarding parking minimums.
- **Maintain current multifamily parking minimums and monitor parking occupancy and capacity data of existing residential developments to determine if minimums can be further reduced consistent with ITE parking demand rates.** Hayward's Municipal Code parking minimums for multifamily developments are generally higher than ITE Manual rates and as such should not be increased. Recent development has shown that developers still provide parking even when no minimums are established. A better understanding of parking supply and occupancy in recent multifamily developments in Hayward would provide stronger evidence supporting any reduction in parking requirements in the Municipal Code while ensuring that parking goals are still met.
- **Consider developing Transportation Demand Management (TDM) guidelines for multifamily residential developments.** While the Municipal Code allows for a reduced number of off-street parking spaces to be provided for non-residential developments that implement a transportation demand management plan, no such option is available for residential developments that provide TDM strategies. The objective of a TDM program is to work with developers provide on-site amenities that will encourage a range of travel options and reduce car ownership, in exchange for providing parking at a reduced rate. The City should consider allowing for a reduction in off-street parking supply in multifamily residential developments under certain conditions, such as a site's proximity to transit, provision of active transportation amenities (bike parking, bike share, scooter share), car-share, provision of subsidized transit passes, and other options for reducing car ownership.

The City of San Francisco has had a TDM plan<sup>1</sup> for new developments in place since 2018. San Francisco provides a comprehensive overview of TDM measures<sup>2</sup> that can be used as a starting point to develop relevant measures for Hayward along with a point-based system for scoring proposed TDM. Key items relevant to reducing residential parking demand include:

- Bicycle Parking – Scored based on the number and location of Class 1 and Class 2 bicycle parking spaces
- Bicycle Support facilities – Availability of showers and clothes lockers, repair and maintenance facilities
- Vehicle share – Bike share, Car share parking and membership
- Delivery – Curb management and delivery amenities
- High Occupancy Vehicle support – Contributions or incentives for sustainable transportation

An example scoring rubric is shown in **Table 2**.

**TABLE 2: EXAMPLE TRAVEL DEMAND MANAGEMENT RUBRIC**

DESCRIPTION	POINTS
<b>BICYCLE PARKING</b>	
Class 1 and 2 bicycle parking meeting code requirements	1
At least 1.25 Class 1 Bicycle Parking spaces for every Dwelling Unit, and 2 Class 2 Bicycle Parking spaces for every 20 Dwelling Units	2
At least 1.5 Class 1 Bicycle Parking spaces for every Dwelling Unit, and 3 Class 2 Bicycle Parking spaces for every 20 Dwelling Units	3
At least 2 Class 1 Bicycle Parking spaces for every Dwelling Unit, and 4 Class 2 Bicycle Parking spaces for every 20 Dwelling Units	4

<sup>1</sup> <https://sfplanning.org/transportation-demand-management-program>

<sup>2</sup> [https://default.sfplanning.org/transportation/tdm/TDM\\_Measures.pdf](https://default.sfplanning.org/transportation/tdm/TDM_Measures.pdf)

	DESCRIPTION	POINTS
<b>BICYCLE SUPPORT FACILITIES</b>		
	Include a bicycle repair station consisting of a designated, secure area within the building, with tools and supplies	1
	Offer free bicycle maintenance services to each Dwelling Unit and/or employee, at least once annually	1
<b>BICYCLE SHARE</b>		
	Provide one complimentary bike share membership annually and be located more than 1000' from an existing or proposed bikeshare station	1
	Provide one complimentary bike share membership annually and be located less than 1000' from an existing or proposed bikeshare station	2
	Provide a fleet of bicycles for residents for their use. The number of bicycles in the fleet shall be equivalent to the number of Class 2 Bicycle Parking spaces required by the Planning Code	1
<b>CAR SHARE</b>		
	Car-share parking spaces as required by the Planning Code with a minimum of one car-share parking spaces	1
	One car-share parking space for every 80 Dwelling Units, with a minimum of two car-share parking spaces	2
	One car-share membership for each Dwelling Unit, and car-share parking spaces as required by the Planning Code with a minimum of one car-share parking spaces	3
	One car-share membership for each Dwelling Unit, and one car-share parking space for every 80 Dwelling Units, with a minimum of two car-share parking spaces	4
	One car-share membership for each Dwelling Unit, and one car-share parking space for every 40 provided Dwelling Units, with a minimum of three car-share parking spaces	5



DESCRIPTION	POINTS
<b>DELIVERY</b>	
Facilitate delivery services by providing an area for receipt of deliveries that offers temporary storage for package deliveries, laundry deliveries, and other deliveries, and/or providing temporary refrigeration for grocery deliveries	1
<b>HIGH OCCUPANCY VEHICLE SUPPORT</b>	
Offer contributions or incentives for sustainable transportation, such as public transit subsidies [25%, 50%, 75%, 100%]	[2, 4, 6, 8]
Provide local shuttle service with a posted schedule (that does not replicate existing transit lines) [15-minute peak hour headways, 7.5-minute peak hour headways]	[7, 14]

- Allow for the unbundling of parking.** The Hayward 2040 General Plan states the City shall encourage multifamily development projects to separate (i.e., unbundle) the cost of parking from lease or rent payments. However, this is currently not permitted by the Municipal Code. Many residential and commercial leases in buildings that include off-street parking include the cost of those spaces in the total cost of the lease. Unbundling the cost of parking means separating out the cost of parking from the cost of living or working space, by charging separately for parking. To accomplish this, the City can require that new residential and commercial projects with common parking areas unbundle the full cost of parking from the cost of the property itself, by identifying parking costs as a separate line item in the lease and to allow tenants to lease as few parking spaces as they wish.
- Revise parking provisions for single family homes with no adjacent on street parking to require a driveway with sufficient space for at least one additional car.** This will maintain consistency of required parking areas with other neighborhoods while ensuring that sufficient driveway space is provided to support garage storage, allowing greater flexibility for residents. If driveway space is counted, the saved curb space no longer needed to provide sufficient parking can potentially be better utilized for complete street facilities.

