ARTICLE 4. PARKING AND LOADING

9-4.401 Purpose.

The purposes of the off-street parking and loading regulations are to:

(a) Ensure that adequate off-street parking and loading facilities are provided for new uses and major alterations to existing uses;

(b) Avoid the negative impacts associated with spillover parking into adjacent neighborhoods, and minimize the negative environmental and urban design impacts that can result from parking lots, driveways, and drive aisles within parking lots;

(c) Address the circulation and access needs of bicyclists and pedestrians by requiring bicycle parking facilities and promoting parking lot designs that offer safe and attractive pedestrian routes;

(d) Establish standards and regulations for safe and well-designed parking, loading, and vehicle circulation areas that minimize conflicts between pedestrian and vehicles within parking lots and, where appropriate, create buffers from surrounding land uses;

(e) Offer flexible means of minimizing the amount of land area devoted to parking of automobiles by allowing reductions in the number of required parking spaces in transit-served locations, for shared parking facilities, and for other situations expected to have lower vehicle parking demand; and

(f) Reduce urban stormwater run-off and heat island effect.

9-4.402 Applicability.

(a) **New Developmen**t. Unless otherwise specified, the parking and loading requirements of this Article apply to all new buildings and to all new conditionally permitted uses in existing buildings.

(b) **Enlargements and Expansions.** Unless otherwise specified, the parking and loading requirements of this Article apply whenever an existing building or use is enlarged or expanded to include additional dwelling units, floor area, seating capacity, employees or other units of measurement used for establishing off-street parking and loading requirements for that use. Additional off-street parking and loading spaces are required only to serve the enlarged or expanded area.

(c) **Damage or Destruction.** When a use that has been involuntarily damaged or destroyed is re-established, off-street parking and loading facilities must also be re-established or continued in operation in an amount equal to the number maintained at the time of such damage or destruction. It is not necessary, however, to restore or maintain parking or loading facilities in excess of those required by this Article. Also see the Nonconforming Use Regulations at Article 10 of Chapter 5.

(d) **Exceptions.**

(1) Neighborhood Retail Overlay Zone. Pursuant to Section 9-3.404(a)(4), in the NR Neighborhood Retail Overlay Zone local-serving uses having a gross floor area of

5,000 square feet or less are exempt from the off-street parking and loading requirements of this Article.

(2) Transit Hub Overlay Zone. Pursuant to Section 9-3.406(a)(1), in the TH Transit Hub Overlay Zone minimum and maximum parking requirements shall be reduced to 50% of the requirements set forth in this Article, and minimum parking requirements may be further reduced or eliminated upon the granting of a conditional use permit pursuant to the requirements of this Article and Section 9-3.406(b).

(3) Alternative Parking Plans. If an alternative parking plan is approved pursuant to Section 9-4.407, the off-street parking requirements shall be subject to the provisions of said plan.

9-4.403 General Regulations and Standards.

(a) **No Reduction in Off-Street Parking and Loading Spaces.** Off-street parking and loading spaces established as of the effective date of this Article shall not be reduced in number during the life of such building or land use below that which would be required for a new building or use of a similar type under the requirements of this Article. All such off-street parking and loading spaces shall remain permanently available and accessible for the parking or loading of vehicles by occupants of the property, as intended by the requirements of this Article, except that any surplus spaces may be rented out to non-occupants with the provision that such spaces must be vacated on 30 days' notice if they become needed by occupants of the property.

(b) **Separate Parking and Loading Spaces.** No area may be utilized and counted both as a required parking space and a required loading space. However, maneuvering aisles and driveways may serve both required parking spaces and loading spaces if they meet the requirements specified in this Article for both parking and loading facilities.

(c) **Disabled Parking.** Parking spaces for the disabled shall be provided as required by the Building Regulations in Title 8. Such spaces may be counted towards the parking requirements of this Article.

(d) **Nonconforming Parking Facilities.** Existing buildings whose off-street parking and loading facilities do not conform to the requirements of this Article may be enlarged or expanded, provided that additional parking and loading facilities shall be added so that the enlarged or expanded portion of the building conforms to the requirements of this Article, subject to the applicable provisions for Nonconforming Uses and Structures in Article 10 of Chapter 5.

(e) **Unbundled Parking.** The following rules shall apply to the sale or rental of parking spaces in new Multi-Unit Residential Uses of ten units or more:

(1) All off-street parking spaces shall be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units, such that potential renters or buyers have the option of renting or buying a residential unit at a price lower than would be the case if there were a single price for both the residential unit and the parking space(s).

(2) In cases where there are fewer parking spaces than dwelling units, the parking spaces shall be offered first to the potential buyers or renters of three-bedroom or more units, second to potential buyers or renters of two bedroom units, and then to potential buyers and renters of other units.

(3) Potential buyers and renters of affordable units shall have an equal opportunity to buy or rent a parking space on the same terms and conditions as offered to potential buyers and renters of market rate units, at a price proportional to the sale or rental price of their units as compared to comparable market rate units. This stipulation shall be included in any agreement recorded between the City and developer pertaining to the affordable housing units pursuant to Article 4 of Chapter 5.

(4) Parking spaces shall be offered only to residents of the dwelling units served by the off-street parking, except that any surplus spaces may be rented out to non-residents with the provision that such spaces must be vacated on 30 days' notice if they become needed by residents. Required visitor spaces shall not be rented out.

The Director may grant an exception from the requirements of this subsection for affordable units which include financing for affordable housing that requires that costs for parking and housing be bundled together.

(f) **Surface Parking Lots.** Surface parking lots shall be subject to the following restrictions and standards. The area of a surface parking lot shall include all features within the lot's outer edges, including all parking spaces, maneuvering aisles, access driveways, and perimeter and interior landscaping, walkways, and other features.

(1) Large Parking Lots. New or expanded surface parking lots of more than two acres are prohibited. Such parking facilities shall be provided within buildings or parking structures, or shall be otherwise covered by a structure that serves a non-parking function such as solar panels, recreational facilities, roof deck, or green roof.

(2) Medium Parking Lots. New or expanded surface parking lots of greater than one-half acre but not more than two acres may be allowed with a conditional use permit. To grant such a conditional use permit, the following findings must be made in addition to the findings required by Article 5 of Chapter 7:

a. That the applicant has convincingly demonstrated that it is infeasible to provide the parking within a building or parking structure, or to otherwise cover it.

b. That the applicant has convincingly demonstrated that every reasonable effort has been made to minimize the size of the parking lot.

c. That the parking spaces comply with the requirements of this Article including the design standards of Section 9-4.406.

d. That the applicable provisions of the Emeryville Design Guidelines, including but not limited to those pertaining to Parking and Access, have been met.

(3) Small Parking Lots. New or expanded surface parking lots of no more than one-half acre are permitted subject to the requirements of this Article including the design standards of Section 9-4.406.

(4) Pedestrian Circulation. Parking lots containing 50 or more spaces shall have walkways separated from motor vehicle maneuvering aisles and driveways connecting the principal building or buildings served by the lot to the farthest point of the lot from the main pedestrian entrance of such building or buildings.

a. Materials and Width. Walkways shall provide at least four feet of unobstructed width and be hard-surfaced.

b. Identification. Pedestrian walkways shall be clearly differentiated from driveways, parking aisles, and parking and loading spaces through the use of elevation changes, different paving material, or similar method.

c. Separation. Where a pedestrian walkway is parallel and adjacent to an auto travel lane, it must be raised and separated from the auto travel lane by a raised curb at least six inches high, bollards, or other physical barrier.

9-4.404 Calculation of Parking Requirement.

The minimum number of parking spaces required and the maximum number of parking spaces allowed shall be based on the estimated parking demand by use type as listed in Table 9-4.404. The following rules apply when calculating the estimated parking demand:

(a) **Multiple Uses.** When two or more principal uses are located on the same lot, the estimated parking demand shall be the sum of the estimated demand of the various individual uses computed separately, in accordance with this Section, unless shared parking is approved pursuant to Section 9-4.405.

(b) **Area-Based Estimates.** All area-based estimated parking demands shall be computed on the basis of gross square footage, as defined in Chapter 8, which does not include parking or loading areas.

(c) **Exclusion of First 1,500 Square Feet.** For all non-residential uses with area-based estimated parking demands, the first 1,500 square feet shall be subtracted from the gross square footage of the use when calculating the estimated parking demand. When there are multiple principal uses on the same lot with separate estimated parking demands, pursuant to subsection (a) above, the first 1,500 square feet shall be subtracted from each such use. Any use that occupies 1,500 square feet or less is not required to provide off-street parking.

(d) **Parking Credit for Reuse of Significant Structures.** Projects that convert a significant structure that has a legal nonconforming parking deficiency to a different use shall receive a credit equal to the number of required automobile parking spaces unmet by the previous use.

(e) **Motorcycle Parking.** There shall be a credit of one automobile parking space for every four motorcycle parking spaces provided, not to exceed five percent of the total number of automobile parking spaces required. Motorcycle parking spaces shall be no less than

four feet wide by eight feet long with an aisle width of no less than ten feet and shall be clearly marked.

(f) **If Estimated Parking Demand is "To be Determined".**

(1) If Table 9-4.404 indicates that the estimated parking demand is to be determined ("TBD"), the estimated parking demand shall be determined based on the characteristics of the specific use in question and other similar uses. Where no Planning Commission or City Council approval is required, the Director shall determine the estimated parking demand; the Director's determination may be appealed to the Planning Commission in accordance with the appeal procedures in Article 14 of Chapter 7. Where Planning Commission or City Council approval is required, the Commission or Council, as the case may be, shall determine the estimated parking demand based on a recommendation from the Director.

(2) If the Director has classified a use not listed pursuant to Section 9-2.102(d), the estimated parking demand may be determined pursuant to subsection (e)(1) above.

(g) **Minimum and Maximum Parking Requirements.** Except as otherwise provided in this Section, no less than the minimum number of parking spaces, and no more than the maximum number of parking spaces, as required by this subsection, shall be provided for each use.

(1) Minimum. The minimum number of parking spaces required shall be 33% less than the estimated parking demand as indicated in Table 9-4.404.

(2) Maximum. The maximum number of parking spaces allowed shall be ten percent more than the estimated parking demand as indicated in Table 9-4.404.

(h) **Parking Spaces Below the Minimum or Above the Maximum.** Parking spaces less than the required minimum or more than the allowed maximum may be provided upon the granting of a conditional use permit as set forth below.

(1) Parking Spaces Less Than the Minimum. To grant a conditional use permit to provide less than the minimum number of parking spaces required by Section 9-4.404(f), including elimination of all parking spaces, the following findings must be made in addition to the findings required by Article 5 of Chapter 7:

a. That adequate measures will be put in place to reduce parking demand such as promoting use of public transit, bicycling, and walking, and allowing modified working hours and telecommuting.

b. That the reduction or elimination of the required parking spaces will not result in parking impacts on adjacent uses due to overflow parking.

(2) Parking Spaces More Than the Maximum. To grant a conditional use permit to provide more than the maximum number of parking spaces allowed by Section 9-4.404(f), the following findings must be made in addition to the findings required by Article 5 of Chapter 7:

a. That the applicant has convincingly demonstrated that the additional parking is required to meet the anticipated parking demand of the proposed uses.

b. That the provision of the additional parking will not result in an over dependence on automobiles and will not adversely affect transit, bicycle, or pedestrian access to the site or other adjacent uses.

Table 9-4.404: Estimated Parking Demand

Use Type	Number of spaces	Per
Residential Use Types		
Single Unit	1	dwelling unit
Two Unit and Multi-Unit		
All except senior[2] and low-income housing[3]		
Resident parking	1	dwelling unit
Guest parking for developments with five or more dwelling units	0.2	dwelling unit
Senior[2] and low-income housing[3]		
Resident parking	0.5	dwelling unit
Guest parking for developments with five or more dwelling units	0.2	dwelling unit
Domestic Violence Shelter	0.25	bed
Group Residential		
Small	none	
Large	0.25	bed
Mobile Home Park	1	mobile home
Residential Care Facility		
Limited	none	
General	0.25	bed
Supportive Housing	0.25	bed
Transitional Housing	0.25	bed
Commercial and Institutional Use Types		
Adult Oriented Businesses		
Retail	3	1,000 gross square feet
Performance	5	1,000 gross square feet
Animal Care and Sales		
Grooming	TBD[1]	
Kennel/Animal Care	TBD[1]	
Pet Stores	3	1,000 gross square feet
Veterinary Services	3	1,000 gross square feet
Arts and Entertainment		
Gallery	1	1,000 gross square feet
Indoor and Outdoor Entertainment		
With fixed seats	0.2	seat[4]
Without fixed seats	10	1,000 gross square feet of indoor assembly area
Banks and Financial Institutions	3	1,000 gross square feet

Use Type	Number of spaces	Per
Business Services	3	1,000 gross square feet
Colleges and Trade Schools	0.5	maximum school population on-site at any one time, including students, teachers, and staff
Community Assembly		
Small	none	
Large		
With fixed seats	0.2	seat[4]
Without fixed seats	10	1,000 gross square feet of indoor assembly area
Day Care Centers	3	1,000 gross square feet
Eating and Drinking Establishments		
Bars/Nightclubs/Lounges	8	1,000 gross square feet
Restaurants	8	1,000 gross square feet
Mobile Food Vendors	TBD[1]	
Emergency Shelters	TBD[1]	
Funeral Homes, Mortuaries and Mausoleums		
With fixed seats	0.2	seat[4]
Without fixed seats	10	1,000 gross square feet of indoor assembly area
Health Care		
Clinics and Medical Offices	3	1,000 gross square feet
Hospitals	3	1,000 gross square feet
Medical Laboratories (non research)	4	1,000 gross square feet
Instructional Services		
Individual/ Small Group Instruction	none	
Group Instruction	0.2	student
Libraries and Museums		
Libraries	2.3	1,000 gross square feet
Museums	1	1,000 gross square feet
Live/Work Unit - *All*		
The greater of	1.5	live/work unit
or	1.5	1,000 gross square feet
Lodging		
Hotels and Motels	0.5	room
Bed & Breakfast	TBD[1]	
Major Public Services	TBD[1]	
Marina	TBD[1]	
Motor Vehicle Sales and Services		
Cleaning	0.5	maximum number of employees on site at any one time
Rentals	1	maximum number of rental vehicles on site at any one time
plus	0.5	maximum number of employees on site at any one time
Sales and Leasing	1	1,000 gross square feet
Repair and Service	1	service bay[5]

Use Type	Number of spaces	Per
Service Station	1.2	fueling station[6]
Towing and Impounding	TBD[1]	
Offices - *All*	2.4	1,000 gross square feet
Parking	none	
Personal Services		
Small	none	
Large	2.4	1,000 gross square feet
Public Safety Facilities	TBD[1]	
Recreation		
Gaming	5	1,000 gross square feet
Indoor	TBD[1]	
Outdoor	TBD[1]	
Repair Services	3	1,000 gross square feet
Retail		
Fire Arms and Ammunition	3	1,000 gross square feet
Liquor Sales	3	1,000 gross square feet
Tobacco Shops	3	1,000 gross square feet
Small Stores	3	1,000 gross square feet
Medium Stores	3	1,000 gross square feet
Large Stores	4	1,000 gross square feet
Outdoor Sales	TBD[1]	
Food and Beverage Sales	3	1,000 gross square feet
Schools	0.08	student
Social Service Facilities	3	1,000 gross square feet
Industrial Use Types		
Arts-Industrial - *All*	1	1,000 gross square feet
Commercial Kitchens	1	1,000 gross square feet
Construction and Maintenance	1	1,000 gross square feet
Crematories	1	1,000 gross square feet
Food Production and Assembly - *All*	1	1,000 gross square feet
Hazardous Waste Facilities - *All*	TBD[1]	
Laundry and Dry Cleaning Services	1	1,000 gross square feet
Manufacturing		
Pharmaceutical	1	1,000 gross square feet
Custom	0.75	1,000 gross square feet
Light	0.75	1,000 gross square feet
General	1	1,000 gross square feet
Heavy	1	1,000 gross square feet
Recycling Facilities - *All*	TBD[1]	
Research and Development	1.5	1,000 gross square feet
Salvage and Wrecking	TBD[1]	
Storage and Distribution		
Indoor	0.5	1,000 gross square feet
Outdoor	TBD[1]	
Personal	0.15	1,000 gross square feet

Use Type	Number of spaces	Per
Agricultural Use Types		
Community Gardens	TBD[1]	
Indoor Agriculture	TBD[1]	
Outdoor Agriculture	TBD[1]	
Animal Husbandry	TBD[1]	
Communication, Transportation, and Utilities Use Types		
Communication Facilities		
Transmission Towers	none	
Equipment within Buildings	0.5	maximum number of employees on site at any one time
Transportation and Delivery Services		
Bus/Rail Passenger Stations	60	1,000 daily boardings
Truck/Rail Freight Terminals	0.5	maximum number of employees on site at any one time
Human-Powered	none	
Light Fleet	1	maximum number of fleet vehicles on site at any one time
plus	0.5	maximum number of employees on site at any one time
Utility Services	TBD[1]	

Notes:

1. TBD = To be determined. See Section 9-4.404(e).
2. Senior housing means housing that is restricted to older adults, in which at least one resident of each unit must be a "senior citizen" as defined in California Civil Code Section 51.3.
3. Low-income housing means housing that is restricted to low, very low, or extremely low income households, as defined for Alameda County by the California Department of Housing and Community Development.
4. Each 30 inches of a fixed bench or pew shall be considered one seat.
5. Service bays may not be counted towards this requirement.
6. Fueling stations may be counted towards this requirement.

9-4.405 Shared Parking.

(a) **Description.** Shared parking represents an arrangement in which two or more nonresidential uses on the same lot with different peak parking demand periods use the same off-street parking spaces to meet their off-street parking requirements.

(b) **Calculation of Parking Requirement for Shared Parking.** The estimated parking demand for each use shall be calculated for each hour of a 24-hour period, based on the percent of peak demand for each hour. The hourly demand for all uses shall be totaled for each hour, and the greatest resulting hourly demand shall be the required number of parking spaces. This required number may be reduced or increased pursuant to Sections 9-4.404, Calculation of Parking Requirement, and 9-3.406, TH Transit Hub Overlay Zone. The hourly demand for each use shall be based on the most recent edition of *Parking Generation* published by the Institute of Transportation Engineers or other equivalent information. See Table 9-4.405 for an example.

Table 9-4.405: Example of Shared Parking Calculation

Use	**Office**		**Retail**		**Hotel**		**TOTAL without shared parking**
Size	100,000 gross square feet		20,000 gross square feet		150 rooms		
Estimated Parking Demand	**240 spaces**		**60 spaces**		**75 spaces**		**375**
Hour Beginning	Percent of Peak Period	Parking Demand	Percent of Peak Period	Parking Demand	Percent of Peak Period	Parking Demand	**TOTAL with shared parking**
12:00-4:00 a.m.	--	--	--	--	--	--	--
5:00 a.m.	--	--	--	--	--	--	--
6:00 a.m.	--	--	--	--	**100%**	**75**	75
7:00 a.m.	19%	46	5%	3	96%	72	121
8:00 a.m.	64%	154	18%	11	90%	68	233
9:00 a.m.	91%	218	38%	23	87%	65	306
10:00 a.m.	99%	238	68%	41	82%	62	341
11:00 a.m.	99%	238	91%	55	77%	58	351
12:00 p.m.	98%	235	**100%**	**60**	77%	58	**353**
1:00 p.m.	96%	230	97%	58	75%	56	344
2:00 p.m.	**100%**	**240**	95%	57	73%	55	352
3:00 p.m.	96%	230	88%	53	70%	53	336
4:00 p.m.	90%	216	78%	47	71%	53	316
5:00 p.m.	58%	139	62%	37	70%	53	229
6:00 p.m.	--	--	64%	38	74%	56	94
7:00 p.m.	--	--	77%	46	75%	56	102
8:00 p.m.	--	--	70%	42	79%	59	101
9:00 p.m.	--	--	42%	25	85%	64	89
10:00 p.m.	--	--	--	--	87%	65	65
11:00 p.m.	--	--	--	--	97%	73	73

9-4.406 Design Standards for Parking Lots and Structures.

The parking area design standards of this Section apply to all off-street parking areas. All required parking spaces and associated maneuvering aisles, driveways, and other related features shall be designed and arranged so as to provide motor vehicles with adequate ingress to and egress from all required parking spaces, and to provide pedestrians with adequate access to parked vehicles. All parking areas shall be subject to the applicable provisions of the Emeryville Design Guidelines, including but not limited to those pertaining to Parking and Access.

(a) **Parking Layout and Dimensions.** The layout and dimensions of off-street parking facilities shall be as set forth in Figure 9-4.406 and Table 9-4.406, as further provided below.

(1) Regulatory and Calculated Dimensions. Stall width, stall length, and aisle width, as shown in Table 9-4.406, are regulatory. Other dimensions shown in Table 9-4.406 are calculated from these required dimensions, and are provided for convenience.

(2) Stall Width and Length. As indicated in Table 9-4.406, the required minimum stall width and length for various parking angles are as set forth below. Compact spaces or other size spaces with less width or length are not permitted.

a. Width. For parking angles of more than 30° the required minimum stall width is 8'-6". For parking angles of 30° or less, the required minimum stall width is 8'-0".

b. Length. For all parking angles other than parallel parking, the required minimum stall length is 18'-0". For parallel parking, the required minimum stall length is 22'-0".

(3) Aisle Width for Parking Angles Not Shown. For parking angles not shown in Table 9-4.406, the required aisle width shall be interpolated from the values in the table. For example, for a parking angle of 70°, which is two-thirds of the increment between 60° and 75°, the required one-way aisle width is 18'-8", which is two-thirds of the increment between the required aisle widths for 60° parking and 75° parking, 16'-0" and 20'-0", respectively.

(4) Alternate Maneuvering Aisle and Parking Space Widths. For parking angles equal to or greater than 45° and less than 90°, one-way aisle width may be decreased by 3" for each 1" increase in stall width, up to a maximum stall width of 9'-2". For 90° parking, one-way and two-way aisle width may be decreased by 3" for each 1" increase in stall width, up to a maximum stall width of 9'-2" and a minimum aisle width of 22'-0".

(5) Two-Way Modules. Table 9-4.606 provides the dimensions for parking modules with one-way traffic. For parking modules with two-way traffic, add the difference in width between a two-way aisle and a one-way aisle. For example, for a two-way module with a parking angle of 45°, add 8'-0", which is the difference between a two-way aisle (20'-0") and a one-way aisle (12'-0").

(6) Overhang. Parking stall lengths, except for parallel spaces, may be reduced by two feet where the parking stall is designed to abut a landscaped area a minimum of five feet wide, such that the front of the vehicle can overhang the landscaped area.

(7) Spaces Abutting Walls or Posts. For each side of a parking space abutting a wall or post, an additional foot of width shall be required.

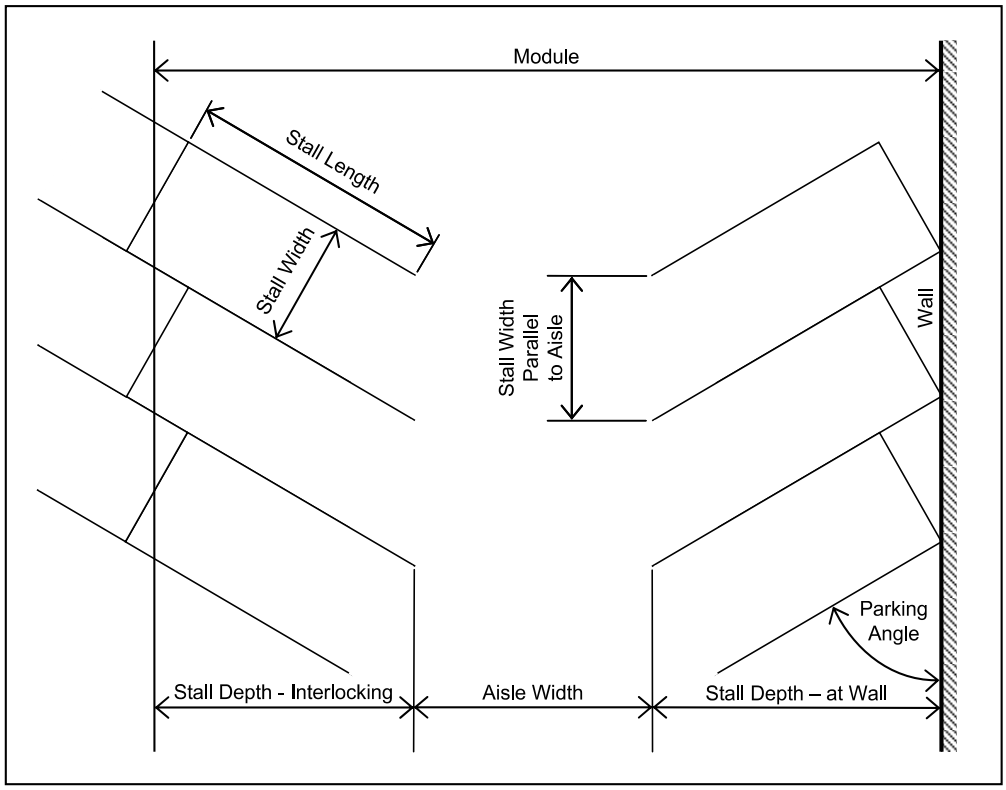

Figure 9-4.406. Parking Layout.

Table 9-4.406: Parking Dimensions

	Regulatory				Calculated for Reference					
Parking Angle	Stall Width	Stall Length	Aisle Width		Stall Width Parallel to Aisle	Stall Depth		Module (one-way)		
			One-Way	Two-Way		Inter-locking	At Wall	Non-Inter-locking	Inter-locking	Half Inter-locking[1]
Parallel	8’-0”	22’-0”	12’-0”	20’-0”	- -	- -	- -	28’-0”	- -	- -
30°	8’-0”	18’-0”	12’-0”	20’-0”	16’-0”	12’-6”	15’-11”	43’-10”	36’-11”	40’-5”
45°	8’-6”	18’-0”	12’-0”	20’-0”	12’-0”	15’-9”	18’-9”	49’-6”	43’-6”	46’-6”
60°	8’-6”	18’-0”	16’-0”	20’-0”	9’-10”	17’-9”	19’-10”	55’-8”	51’-5”	53’-7”
75°	8’-6”	18’-0”	20’-0”	20’-0”	8’-10”	18’-6”	19’-7”	59’-2”	57’-0”	58’-1”
90°	8’-6”	18’-0”	24’-0”	24’-0”	8’-6”	18’-0”	18’-0”	60’-0”	- -	- -

Notes: 1. One side is interlocking and the other side is non-interlocking, similar to the parking layout illustrated in Figure 9-4.406.

(b) **Location of Parking Areas.** Except as otherwise allowed by Section 9-4.407, required parking spaces must be located on the same lot as the use to be served by the parking. Additionally, parking areas shall be located in accordance with the following standards:

(1) No vehicle shall be required to cross a loading space or another parking space in order to gain access to a required parking space, except that tandem parking may be permitted pursuant to subsection (h) below.

(2) Except as provided in subsection (3) below, off-street parking shall not be located in required front yards or in required street side yards.

(3) No off-street parking spaces shall be located between the front lot line and the front wall of a building or its projection across the lot, except upon the granting of a conditional use permit. To grant such a conditional use permit, the following findings must be made in addition to the findings required by Article 5 of Chapter 7:

a. That the parking spaces are required by this Article.

b. That there is no other feasible way to provide the required parking.

c. That all applicable provisions of the design standards in this Section have been met.

d. That the applicable landscaping and screening requirements of Article 5 of this Chapter have been met.

e. That the applicable provisions of the Emeryville Design Guidelines, including but not limited to those pertaining to Parking and Access, have been met.

(c) **Driveways and Access.**

(1) Driveway Width.

a. Parking facilities containing fewer than 15 required parking spaces shall have only a single driveway of no less than nine feet and no more than ten feet in width.

b. Parking facilities containing 15 or more required parking spaces may have one-lane driveways of no less than nine feet and no more than ten feet in width, and two-lane driveways of no less than 18 feet and no more than 20 feet in width. The number and width of driveways shall be the minimum necessary to efficiently serve the lot as determined by the Director.

(2) Vehicle Flow.

a. Except for those serving four or fewer residential units, all parking areas shall be designed so that a motor vehicle leaving the parking area will enter the public right-of-way traveling in a forward direction.

b. Parking areas shall be designed so that a vehicle will not have to enter a public right-of-way to move from one location to another within the parking area.

(d) **Surface.** All outdoor parking spaces, driveways, and maneuvering areas shall be designed, built and permanently maintained to avoid dust, mud and standing water and to

maximize permeability. These surfaces may include pervious pavements, sand-set pavers, supported turf systems and vegetation. A combination of surfaces may be used; for example, two-track driveways of concrete strips with pervious areas between the strips and on the edges.

(e) **Striping and Marking.** In all parking facilities containing four or more spaces, each parking space shall be clearly striped with paint or other similar distinguishable material, except that the Director may approve suitable alternate means of marking the spaces.

(f) **Vertical Clearance.** All covered parking shall have a minimum vertical clearance of 7'-6", except for spaces in parking lifts, and except that the minimum vertical clearance for disabled parking shall be as required by the Building Regulations in Title 8.

(g) **Slope.** The maximum slope of parking facilities shall be as set forth below unless the Director approves a greater slope based upon the advice of a civil engineer or other qualified professional.

(1) Parking Spaces. All parking spaces and abutting access aisles shall have a maximum slope of five percent measured in any direction.

(2) Driveways and Ramps. The maximum slope of any driveway or ramp shall be 20%. If the slope of such driveway or ramp exceeds 10%, transitions shall be provided at each end not less than eight feet in length and having a slope equal to one-half the driveway or ramp slope.

(h) **Tandem Parking.** Required parking may be arranged as tandem spaces provided that pairs of spaces in tandem are assigned to the same residential unit or to employees of the same non-residential establishment, or that a full time parking attendant supervises the parking arrangements at all times when the uses served are in active operation. The provisions of Figure 9-4.406 and Table 9-4.4.06 pertaining to required stall width, stall length, and aisle width shall apply to tandem spaces, except that the stall length shall be doubled for each pair of tandem spaces.

(i) **Parking Lifts.** Required parking may be provided in parking lifts provided that, if it is necessary to remove one vehicle from the lift to access another vehicle, the parking shall be subject to the provisions of subsection (h) above applicable to tandem parking. Parking lifts allowing each vehicle to be independently accessed have no such restrictions. The provisions of Figure 9-4.406 and Table 9-4.4.06 applicable to 90° parking shall apply to parking lifts, including the requirement for an aisle of 24'-0". Exterior parking lifts shall be adequately screened from public view as required by Section 9-4.503(g).

(j) **Landscaping and Screening.**

(1) Surface Parking. All open parking areas shall be landscaped and/or screened as required by Section 9-4.503(g).

(2) Structured Parking. Above-grade structured parking shall comply with the following:

a. Above-grade parking shall include space for ground-level uses with active street frontages where such uses are feasible. Where active ground-level uses are not feasible, as determined by the Director, the ground level of

structured parking shall be designed with architecturally attractive frontages. Such frontages may include unique designs or materials, such as glass, articulated masonry, art displays, murals, or landscaped setbacks.

b. Automobiles and direct light from interior fixtures shall not be visible from any public right-of-way.

(k) **Lighting.** Except for those serving four or fewer residential units, all open parking areas shall be provided with exterior lighting meeting the following minimums:

(1) The lighting system shall provide not less than 1.0 footcandle and not more than 5.0 footcandle overall average illumination with a minimum of .25 footcandles on the parking surface.

(2) All lighting shall be on a time clock or photo-sensor system so as to be turned off during daylight hours and during any hours when the parking area is not in use. This requirement does not apply to any lighting that is required for security.

(3) All parking area lighting shall meet any applicable energy efficiency requirements of the Building Regulations in Title 8.

(4) All lighting shall be designed to confine direct rays to the premises. No light fixture shall emit any direct light above a horizontal plane through the fixture. No spillover beyond the property line shall be permitted, except onto public thoroughfares; provided, however, that no such light shall cause a hazard to motorists.

(l) **Electric Vehicle Charging Stations.** In parking facilities containing 17 or more spaces serving Multi-Unit Residential and Lodging: Hotels and Motels uses, at least three percent of parking spaces shall be electric vehicle (EV) charging stations. Such spaces may be counted towards the parking requirements of this Article. For all other uses, EV charging stations are eligible for development bonuses pursuant to item (16) in Table 9-4.204(c).

(1) Size. Electric vehicle charging stations shall be the same size as other spaces, as specified in Section 9-4.406(a). The electric vehicle charging equipment shall not reduce the size of the space.

(2) Signage. Each electrical vehicle charging station shall be clearly marked with a sign reading "Electrical Vehicle Charging Station."

(3) Equipment. Electrical vehicle charging stations shall be equipped with electrical outlets, and may also be equipped with card readers, controls, connector devices and other equipment as necessary for public use. All such equipment shall be in compliance with the Building Regulations in Title 8 and applicable provisions of the California Green Building Standards Code pertaining to electrical vehicle charging.

9-4.407 Alternative Compliance with Parking Requirements.

(a) **Alternative Parking Plan.** An alternative parking plan, as provided by this Section, may be permitted upon the granting of a conditional use permit. To grant such a conditional use permit, the following findings must be made in addition to the findings required by Article 5 of Chapter 7:

(1) That the applicant has convincingly demonstrated that it is physically impossible to provide the required number of parking spaces in conformance with the design standards of Section 9-4.406 on the same lot as the principal use to be served by the parking.

(2) That a parking arrangement approved pursuant to this Section will be in place at all times during operation of the principal uses to be served by the parking.

(b) **Off-Site Parking.** The alternative parking plan may allow required off-street parking spaces to be located on a remote and separate lot from the lot on which the principal use is located, subject to the following standards:

(1) Zoning District. Off-site parking may not be located in a zoning district in which the principal use served by the parking is prohibited pursuant to Article 2 of Chapter 3.

(2) Distance. Unless a shuttle service is provided, the off-site parking shall be located within a reasonable walking distance of the principal use served, with consideration given to all relevant factors including, but not limited to, the characteristics of the use served by the parking and the quality of the walk.

(3) Other Jurisdiction. The off-site parking may be located in Oakland or Berkeley, subject to applicable regulations of that jurisdiction.

(c) **Valet Parking.** The alternative parking plan may allow valet parking as a means of satisfying all or a portion of the off-street parking requirement. Valet parking may be used to accommodate more parking spaces on the site of the principal use served by the parking than could be accommodated in conformance with the design standards of Section 9-4.406. It may also be used to provide off-site parking, subject to the requirements of subsections (b)(1) and (b)(3) above. Any valet parking shall not cause interference with the public use of rights-of-way or imperil public safety.

(d) **Parking In-Lieu Fees.** The alternative parking plan may allow for the payment of a parking in-lieu fee to allow the City to acquire sites for public parking to meet the parking needs that cannot be supplied on site, or for public transportation facilities, provided that the developer of a non-residential project contributes toward the acquisition and development of such facilities to the extent that the developer would have been obligated to provide required on-site parking. A parking in-lieu fee shall be provided for nonresidential uses only as follows:

(1) Parking In-Lieu Fee Amount. The amount of the parking in-lieu fee shall be as set forth in the Master Fee Schedule.

(2) Deposit of Funds. Parking in-lieu fees shall be deposited with the City of Emeryville prior to issuance of a building permit in a separate fund to be known as the Parking In-Lieu Fee Fund and shall be used for off-street parking facilities,

including property acquisition and development of parking facilities located in the general vicinity of the buildings for which the payments are made.

(3) Refund of Fee. A parking in-lieu fee may be refunded, without interest, to the person who made such payment, or his assignee or designee, if additional off-street parking spaces are provided for such building or use by others than the City, so as to satisfy the parking requirement for which the in-lieu payment was made. To obtain a refund, the required off-street parking spaces must be in place prior to issuance of a certificate of occupancy and before funds are spent or committed by the City.

9-4.408 Bicycle Parking.

(a) **Title and Purpose.** This Section establishes bicycle parking requirements. The purpose of these requirements is to ensure that adequate bicycle parking is provided and is conveniently located and sufficiently secure from theft and damage. These requirements are assumed to be minimums only. It is the responsibility of the developer, owner, or operator of any specific use to provide adequate bicycle parking facilities.

(b) **General Requirements.** Short-term publicly accessible bicycle parking for visitors, and long-term secured bicycle parking for building occupants, shall be required when:

(1) A building is constructed;

(2) An existing building, including a legal nonconforming structure, is enlarged for any purpose; or

(3) The use of any building or portion thereof is changed to one requiring the issuance of a conditional use permit and then only to that portion of the building subject to the change of use.

(c) **Exemptions.** No bicycle parking is required for Single Unit or Two Unit residential uses.

(d) **Standards for All Bicycle Parking.**

(1) Design and Installation.

a. A bicycle parking space shall be in a paved, level, drained, lighted area with access to a right-of-way without the use of stairs, and shall consist of either:

i One side of a securely fixed rack element that supports the bicycle upright by its frame, prevents the bicycle from tipping over, and allows the frame and at least one wheel to be locked to the rack element with one lock; or

ii A bicycle locker constructed of theft-resistant material with a lockable door which opens to the full width and height of the locker. Bicycle lockers shall be weather-proof if exposed to the elements; or

iii. For long-term bicycle parking only, wall-mounted racks or wall- or ceiling-mounted hooks so that bicycles may be hung vertically.

b. Each bicycle parking space shall be no less than 15 inches wide, by six feet deep, with an overhead clearance of no less than seven feet. This can be satisfied by placing racks, each of which supports two bicycles, 30 inches apart. See Figure 9-4.408(d)(1)b. Wedge-shaped spaces may be narrower than 15 inches at one end.

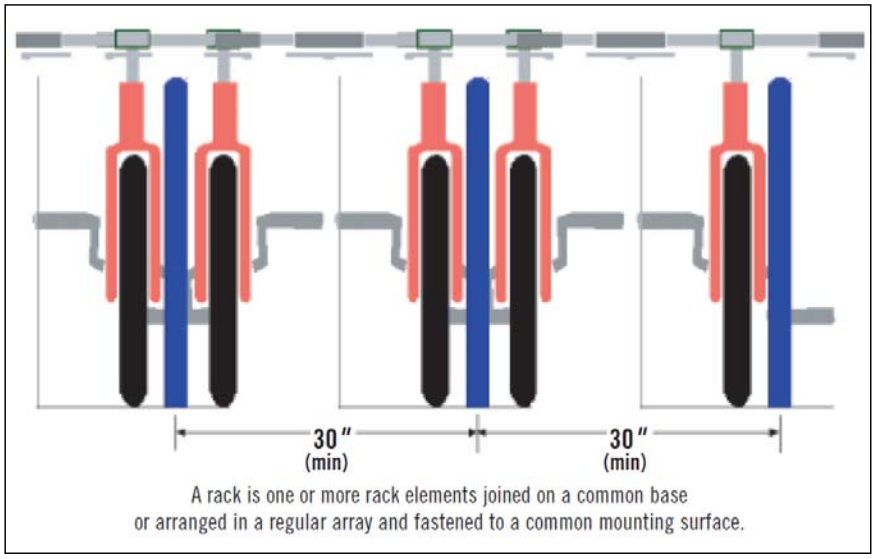

Figure 9-4.408(d)(1)b. Bicycle Racks.
Source: Association of Pedestrian and Bicycle Professionals

c. Each row of bicycle parking spaces shall be served by an aisle no less than four feet wide. Rack elements must be placed two feet from walls, fences or curbs. See Figure 9-4.408(d)(1)c. (Note: Each rack supports two bicycles, although, for clarity, only one bicycle per rack is shown in this illustration.)

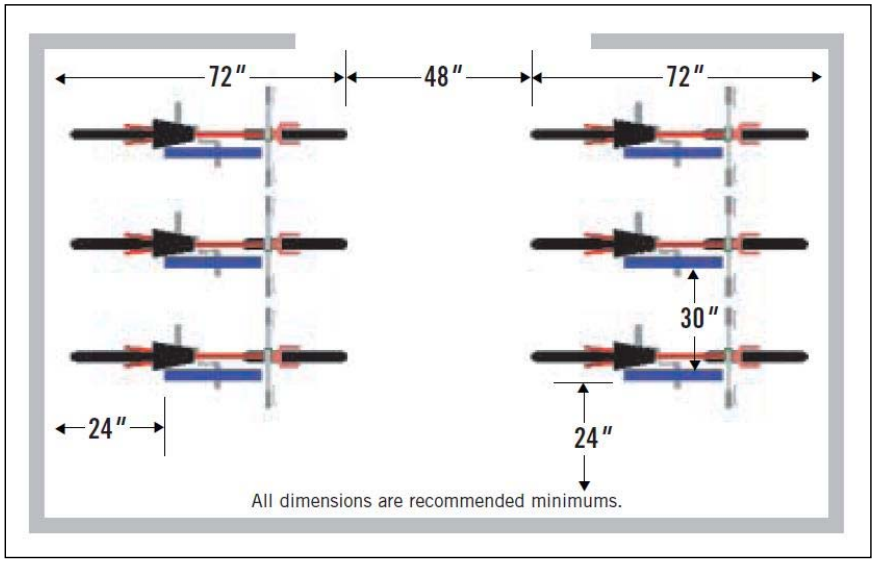

Figure 9-4.408(d)(1)c. Bicycle Parking Layout.
Source: Association of Pedestrian and Bicycle Professionals

d. Required bicycle parking may not be tandem; parking or removing a bicycle shall not require moving another parked bicycle.

e. Bicycle rack elements shall be fixed, securely anchored to the ground or to a structure by means that resist tampering or removal. Bicycle locker edges shall be secured with no exposed fittings or connectors. The Director may specify preferred installation methods, such as, but not limited to, embedded mounting in poured-in-place concrete, recessed bolt heads or grouted-in anchoring.

(2) Location.

a. Direct access from the bicycle parking to the public right-of-way shall be provided by means of access ramps, if necessary, and pedestrian access from the bicycle parking area to the building entrance shall also be provided.

b. Where bicycle parking is not directly visible and obvious from the right-of-way, signs shall be provided, except that directions to long-term bicycle parking may be posted or distributed by the building management, as appropriate.

c. Bicycle parking must be separated from automobile parking by a sufficient distance to prevent damage from moving automobiles or their loading and unloading. The Director may require a barrier or curb between bicycle and automobile parking areas on constrained sites.

d. Bicycle parking may be provided inside a building provided it is easily accessible from a building entrance and a bicyclist does not have to use stairs to reach it.

e. The placement of bicycle parking, bicycle rack elements and bicycle lockers shall not interfere with pedestrian circulation.

f. Required spaces may not be located within offices, commercial or industrial work areas, dwelling units or balconies.

(e) **Short-Term Bicycle Parking.**

(1) Short-term bicycle parking shall be provided within a convenient distance of, and clearly visible from, the main entrance to the building, as determined by the Director, and it shall not be farther than the closest automobile parking space, excluding disabled parking.

(2) At the discretion of the Director, some or all required short-term bicycle parking may be provided in a required yard.

(3) Minimum Short-Term Bicycle Parking Requirements.

a. All uses except Multi-Unit residential uses shall provide the greater of:

i. Two short-term bicycle parking spaces; or

ii. One short-term bicycle parking space for every ten required automobile parking spaces.

b. Multi-Unit residential uses shall provide one short-term bicycle parking space for every four visitor automobile parking spaces required by Section 9-4.404.

(4) Property owners shall remove abandoned bicycles from short-term bicycle parking associated with their property on a monthly basis, after posting a notice of removal on such bicycles for two weeks.

(f) **Long-Term Bicycle Parking.**

(1) To ensure security, long-term bicycle parking must be in an enclosed, covered, locked area, surrounded by a fence or wall at least seven feet tall, restricted to bicycle parking users, which includes fixed rack elements; or in bicycle lockers that are either weather-proof or covered. Bicycle lockers are eligible for development bonuses pursuant to item (8) in Table 9-4.204(c). Long-term bicycle parking may also be vertical, using either wall-mounted racks or wall- or ceiling-mounted hooks, installed per the manufacturer's specifications.

(2) Minimum Long-Term Bicycle Parking Requirements.

a. All uses except Multi-Unit residential uses shall provide the greater of:

i. Two long-term bicycle parking spaces; or

ii. One long-term bicycle parking space for every ten required automobile parking spaces.

b. Multi-Unit residential uses shall provide one covered long-term bicycle parking space for every one dwelling unit.

(3) Property owners shall remove abandoned bicycles from long-term parking associated with their property on a quarterly basis after posting a notice of removal warning on such bicycles for one month. This requirement shall not preclude provision of seasonal bicycle storage.

(4) Nonresidential uses are encouraged to provide showers and clothes lockers where bicycle parking is required. There shall be an automobile parking credit of one space per shower, up to one shower per 25 required bicycle parking spaces.

(g) **Definitions.** As used in this Section:

(1) "Abandoned bicycle" means a bicycle that has been parked continuously in one place for at least two weeks in short-term parking or at least one month in long-term parking, excluding seasonal bicycle storage as agreed upon between the property owner and the bicycle owner.

(2) "Bicycle" means a device propelled by human power upon which a person may ride, having two wheels one behind the other, at least one wheel being at least 13 inches in diameter.

(3) "Bicycle locker" means an enclosure that can be locked for the safe keeping of a bicycle, made of theft-resistant material, with a lockable door that opens the full width and height of the locker, with no exposed fittings or connectors.

(4) "Bicycle parking space" means a paved, level, drained, lighted area for the parking of one bicycle, having a minimum width of 15 inches, a minimum length of six feet, and a minimum overhead clearance of seven feet, with access to a right-of-way without use of stairs, which includes either a bicycle locker or one side of a fixed rack element. A wedge-shaped bicycle parking space may have one end narrower than 15 inches.

(5) "Fixed" means mounted so the rack element cannot be stolen; anchored in the pavement or a structure with vandal-resistant fasteners such as, but not limited to, embedded mounting in poured-in-place concrete, recessed bolt heads or grouted-in anchoring.

(6) "Long-term bicycle parking" means bicycle parking intended for the primary use of residents, employees and others who park bicycles for a duration of four hours or more.

(7) "Publicly accessible" means in an area that is visible from a right-of-way and open to the general public.

(8) "Rack element" means a fixed object that supports one or two bicycles upright by their frames in a stable position and enables the frame and at least one wheel of each bicycle to be locked.

(9) "Right-of-way" means a strip of land under the ownership or jurisdiction of the City of Emeryville and dedicated for use as a public way such as a path, street or park.

(10) "Secured bicycle parking" means an enclosed, covered, locked area, surrounded by a seven foot tall fence or wall, restricted to bicycle parking users, which includes fixed rack elements; or covered or weather-proof bicycle lockers.

(11) "Short-term bicycle parking" means bicycle parking intended for the primary use of customers, messengers, guests and others who park bicycles for less than four hours.

(12) "Tandem" means arranged so a bicycle must be removed to access another bicycle parking space.

9-4.409 Loading.

The requirements for off-street loading spaces for all uses shall be as specified in this Section.

(a) **Number of Spaces Required.**

(1) None Required. No off-street loading spaces are required for uses for which the estimated parking demand, as indicated in Table 9-4.404, is "none". In addition, no off-street loading spaces are required for the following residential use types:

Single Unit
Two Unit
Mobile Home Park

(2) Requirement "To be Determined". The off-street loading requirement for uses for which the estimated parking demand, as indicated in Table 9-4.404, is "To be determined" ("TBD"), shall be determined pursuant to Section 9-4.404(e) in the

same manner in which the estimated parking demand is determined. In addition, the off-street loading requirement shall be determined pursuant to Section 9-4.404(e) in the same manner in which estimated parking demand is determined for the following uses:

Residential Use Types:
- Domestic Violence Shelter
- Group Residential
- Residential Care Facility
- Supportive Housing
- Transitional Housing

Communication, Transportation, and Utilities Use Types:
- All

(3) All Other Uses. The off-street loading requirement for all other uses shall be as set forth in Table 9-4.409.

Table 9-4.409: Loading Requirements

Use Type	Number of spaces	Size
Residential Use Types		
Multi-Unit		
Less than 50 units	none	
50 to 149 units	1	small
150 to 300 units	2	small
Each additional 300 units or fraction of one-half or more thereof	1	medium
Commercial and Institutional Use Types		
Animal Care and Sales *Pet Stores* *Veterinary Services* Health Care *Clinics and Medical Offices* Offices - *All*		
Less than 25,000 gross square feet	none	
25,000 to less than 100,000 gross square feet	1	medium
100,000 to less than 200,000 gross square feet	2	medium
Each additional 100,000 gross square feet or fraction of one-half or more thereof	1	large

Use Type	Number of spaces	Size
All Other		
Less than 10,000 gross square feet	none	
10,000 to less than 20,000 gross square feet	1	medium
20,000 to less than 40,000 gross square feet	2	medium
40,000 to less than 80,000 gross square feet	2	large
Each additional 40,000 gross square feet or fraction of one-half or more thereof.	1	large
Industrial Use Types		
Research and Development		
Less than 25,000 gross square feet	none	
25,000 to less than 100,000 gross square feet	1	medium
100,000 to less than 200,000 gross square feet	2	medium
Each additional 100,000 gross square feet or fraction of one-half or more thereof	1	large
All Other		
Less than 10,000 gross square feet	none	
10,000 to less than 25,000 gross square feet	1	medium
25,000 to less than 50,000 gross square feet	1	large
50,000 to less than 100,000 gross square feet	2	large
100,000 to less than 200,000 gross square feet	3	large
Each additional 100,000 gross square feet or fraction of one-half or more thereof	1	large

(b) **Size of Spaces.** Size of loading spaces, as indicated in Table 9-4.409, shall be as follows:

(1) Small. Small loading spaces shall have a width of no less than ten feet, a length of no less than 25 feet and a vertical clearance of no less than eight feet.

(2) Medium. Medium loading spaces shall have a width of no less than 12 feet, a length of no less than 35 feet and a vertical clearance of no less than 14 feet.

(3) Large. Large loading spaces shall have a width of no less than 12 feet, a length of no less than 50 feet and a vertical clearance of no less than 14 feet.

(c) **Modifications.** In approving a project, the Director, Planning Commission, or City Council, as the case may be, may modify the number and size of loading spaces required pursuant to subsection (a) above because of the nature of the use or the design of the project.

(d) **Maneuvering Areas.** All off-street loading spaces for uses located on Transit Streets and Connector Streets, as defined in the General Plan, shall be designed and located so that there is sufficient off-street maneuvering area to accommodate vehicles using the loading

spaces. Maneuvering areas shall be designed to accommodate the largest vehicle intended to use the loading spaces and shall not be encumbered by parking stalls or physical obstructions. No vehicle shall back up or maneuver within the public right-of-way of a Transit Street or Connector Street to reach an off-street loading space.

(e) **Surface and Maintenance.** Loading spaces and the maneuvering areas and driveways serving them shall be paved and maintained with concrete, asphalt, or similar material of sufficient thickness and consistency to support anticipated traffic volumes and weights; properly graded for drainage; and maintained in good condition free of weeds, dust, trash, and debris.

(f) **Location.** Loading spaces shall be located on the same lot on which the use for which they are required is located, except that, upon the granting of a conditional use permit, loading spaces may be provided in a common loading area serving multiple adjacent uses and located on an adjacent lot within 300 feet of the lot on which the use requiring the loading spaces is located. To grant such a conditional use permit, the following findings must be made in addition to the findings required by Article 5 of Chapter 7:

(1) That the common loading area results in a more efficient design than individual loading areas serving each use separately.

(2) That the total number of loading spaces provided in the common loading area is no less than the number of loading spaces that would be required if the uses served were located in a single facility.

(3) That the common loading area will be in place at all times during operation of the principal uses to be served by the loading spaces.

(g) **Access to Tenant Spaces Served by Loading Spaces.** Buildings served by loading spaces shall be designed such that there is a direct interior path of travel between the loading spaces and each tenant space served by the loading spaces of sufficient width and height to accommodate all material to be loaded and unloaded.

(h) **Availability and Utilization of Loading Spaces.** All loading spaces provided pursuant to the requirements of this Article shall be made readily available to pick-up and delivery vehicles during all hours when pick-ups and deliveries are allowed. Owners of property containing such loading spaces shall be responsible for advising drivers of pick-up and delivery vehicles of the location and hours of such loading spaces, shall require drivers to use such loading spaces, and shall not allow pick-up and delivery vehicles to be parked or loaded in the public right-of-way.

(i) **Landscaping and Screening.** All loadings spaces and the maneuvering areas and driveways serving them shall be landscaped and/or screened as required by Section 9-4.503(g).

(j) **Lighting.** All exterior loading spaces and the maneuvering areas and driveways serving them shall be provided with lighting meeting the following minimums:

(1) The lighting system shall provide not less than 1.0 footcandle and not more than 5.0 footcandle overall average illumination with a minimum of .25 footcandles on the surface.

(2) All lighting shall be on a time clock or photo-sensor system so as to be turned off during daylight hours and during any hours when the loading area is not in use and the lighting is not required for security.

(3) All loading area lighting shall meet any applicable energy efficiency requirements of the Building Regulations in Title 8.

(4) All lighting shall be designed to confine direct rays to the premises. No light fixture shall emit any direct light above a horizontal plane through the fixture. No spillover beyond the property line shall be permitted, except onto public thoroughfares; provided, however, that no such light shall cause a hazard to motorists.