

ASSEMBLY THIRD READING

AB 2097 (Friedman)

As Amended May 19, 2022

Majority vote

SUMMARY

Prohibits public agencies from enforcing minimum automobile parking requirements for developments located close to public transit.

Major Provisions

- 1) Prohibits public agencies from imposing or enforcing a minimum automobile parking requirement for residential, commercial and other developments if the parcel is located within one-half mile walking distance of a major transit stop, as defined.
- 1) Provides that nothing in this bill reduces, eliminates, or precludes the enforcement of any requirement to provide electric vehicle parking spaces or parking spaces that are accessible to persons with disabilities that would have otherwise applied to a development eligible for the parking reductions authorized in this bill.

COMMENTS

Cities and counties generally establish parking standards that capture various types of facilities and uses. Parking standards are commonly indexed to conditions related to the building or facility they are associated with. For example, shopping centers may have parking requirements linked to total floor space, restaurants may be linked to the total number of seats, and hotels may have parking spaces linked to the number of beds or rooms present at the facility.

In 2019, California Air Resources Board (CARB) staff reviewed over 200 municipal codes and found that for nonresidential construction, an average of at least one parking space is installed for every 275 square feet of nonresidential building floor space. Accounting for the fact that approximately 60% of reviewed municipal codes already allow developers to reduce parking by an average of 30%, CARB staff estimated that between 1.4 million and 1.7 million new nonresidential parking spaces may be constructed from 2021-2024.

There is a significant body of academic research regarding the potential impact minimum parking ratios have on car ownership, VMT, use of public transit, and transportation trends generally. In a recent journal article (*What do Residential Lotteries Show us About Transportation Choices?*), researchers from the University of California found that data from affordable housing lotteries in San Francisco provided a unique setting that effectively randomized housing assignments for housing lottery applicants. The study found "that a building's parking ratio not only influences car ownership, vehicle travel and public transport use, but has a stronger effect than public transport accessibility. Buildings with at least one parking space per unit (as required by zoning codes in most United States cities, and in San Francisco until circa 2010) have more than twice the car ownership rate of buildings that have no parking." Specifically, the study found, "In buildings with no on-site parking, only 38% of households own a car. In buildings with at least one parking space per unit, more than 81% of households own automobiles."

According to the Author

"AB 2097 does not prohibit property owners from building on-site parking. Rather, it would give them the flexibility to decide on their own how much on-site parking to provide, instead of requiring them to comply with a one-size-fits-all mandate."

Arguments in Support

SPUR writes in support, "AB 2097 will eliminate requirements that homes and commercial buildings near transit or in neighborhoods with less car use be built with more parking than is necessary. By reducing the overbuilding of parking, this bill would reduce traffic, greenhouse gas emissions and air pollution, reduce the cost of housing to renters and homeowners, and improve the prospects of small neighborhood businesses fighting to survive during the pandemic."

Arguments in Opposition

The League of California Cities writes in opposition, "AB 2097 would essentially allow developers to dictate parking requirements in large areas of many cities because the definition of public transit includes entire bus routes with fifteen-minute service intervals. Restricting parking requirements within one-half mile of a high-frequency transit route does not guarantee individuals living, working, or shopping on those parcels will actually use transit. Many residents will continue to own automobiles and require nearby parking, which will only increase parking demand and congestion."

FISCAL COMMENTS

According to the Assembly Appropriations Committee, "No state costs. Local costs resulting from this bill are not reimbursable by the state because local agencies have general authority to charge and adjust planning and permitting fees to cover their administrative expenses associated with new planning mandates."

VOTES**ASM LOCAL GOVERNMENT: 6-2-0**

YES: Aguiar-Curry, Lackey, Bloom, Ramos, Luz Rivas, Robert Rivas

NO: Boerner Horvath, Voepel

ASM HOUSING AND COMMUNITY DEVELOPMENT: 6-1-1

YES: Wicks, Carrillo, Gabriel, Kalra, Quirk-Silva, Ward

NO: Seyarto

ABS, ABST OR NV: Kiley

ASM APPROPRIATIONS: 13-3-0

YES: Holden, Bryan, Calderon, Carrillo, Mike Fong, Fong, Gabriel, Eduardo Garcia, Jones-Sawyer, Quirk, Robert Rivas, Akilah Weber, Wilson

NO: Bigelow, Megan Dahle, Davies

UPDATED

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