

ASSEMBLY THIRD READING

AB 894 (Friedman)

As Amended April 20, 2023

Majority vote

SUMMARY

Requires public agencies to allow proposed and existing developments to count underutilized and shared parking spaces toward a parking requirement imposed by the agency.

Major Provisions

- 1) Requires public agencies to allow entities with underutilized parking to share their underutilized parking spaces with the public, other public agencies or other entities.
- 2) Requires public agencies to allow shared parking arrangements to be counted toward meeting any automobile parking requirement for a new or existing development or use, including, but not limited to, shared parking in underutilized spaces, and in parking lots and garages that will be constructed as part of the development or developments under specified conditions.
- 3) Requires a public agency, private landowner, or lessor to examine the feasibility of shared parking arrangements to replace new parking construction or limit the number of new parking spaces that will be constructed in either of the following circumstances:
 - a) When state funds are being used on a proposed new development.
 - b) Before a parking structure or surface parking lot is developed using public funds.

COMMENTS

This bill requires public agencies to allow new and existing developments and uses to share underutilized parking with nearby developments and uses, and count that parking toward those entity's minimum automobile-parking requirements. This bill also allows new developments to share parking in lots and garages that will be constructed. This bill requires public agencies to use a specified parking analysis to determine the number of parking spaces that may be shared and counted toward an entity's minimum automobile-parking requirement.

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, 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.

Developing new parking spaces requires a significant dedication of land and resources. A typical parking space measures from eight to 10 feet wide and 18-20 feet long. Off-street parking also requires driveways and access lanes for circulation within the parking lot. As a result, off-street parking typically requires 300 square feet (compact, urban off-street parking) to 400 square feet (full-size, urban off-street parking) of land per parking space. This means that 100 to 150 parking spaces requires one acre of land. In urban areas where land is expensive or unavailable, the cost of constructing an aboveground or belowground parking structure is considerable. A 2018 report by the United States Government Accountability Office found that urban affordable housing projects in California and Arizona that include parking structures were associated with a per-unit cost increase of about \$56,000 per unit. A more recent study analyzed the regional parking structure construction costs per parking space in major metropolitan areas. The study found that the average cost of construction for a parking space in a parking structure is \$26,653 in Los Angeles and \$30,316 in San Francisco.

According to the Author

"Currently, some jurisdictions either prohibit shared parking, allow shared parking only in certain narrow circumstances, or make no clear accommodation to allow parking owners or managers to share underutilized parking with other land uses. Many jurisdictions do allow shared parking to count toward meeting public agency parking requirements.

"Without action, some public agencies will continue to require new parking spaces where existing parking can be shared more effectively. Unnecessary parking consumes land and resources that could be better used to support more housing, jobs, services, and open space. It also encourages more single-occupant vehicle use which contradicts the legislature's climate and equity goals."

Arguments in Support

San Francisco Bay Area Planning and Urban Research Association writes in support, "AB 894 responds to recent research on parking supply. Recent assessments have found a surprising abundance of parking in the most populous California regions, even where there are perceptions that parking is inadequate. A 2015 study of Los Angeles County parking found that there are more than 1.5 parking spaces for every resident in the County, including children. SPUR coordinated a 2022 Bay Area Parking Census which found 15 million parking spaces in the 9-county area - 2.4 spaces for every car. What is often lacking is not parking, but rather tools and regulations that allow existing parking to be shared more effectively."

Arguments in Opposition

The City of Eastvale writes in opposition, "Nothing in current law prohibits a local agency from permitting shared parking agreements between business entities, public agencies, and developers. Decisions like these should be left at the local level so that agreements can be crafted in a way that reflects the unique characteristics of each community."

FISCAL COMMENTS

According to the Assembly Appropriations Committee, no state costs. Local costs 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: 5-2-0

YES: Aguiar-Curry, Pacheco, Ramos, Robert Rivas, Wilson

NO: Dixon, Waldron

ASM HOUSING AND COMMUNITY DEVELOPMENT: 6-0-2

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

ABS, ABST OR NV: Joe Patterson, Sanchez

ASM APPROPRIATIONS: 12-3-1

YES: Holden, Bryan, Calderon, Wendy Carrillo, Mike Fong, Hart, Lowenthal, Papan, Pellerin, Robert Rivas, Weber, Ortega

NO: Megan Dahle, Dixon, Sanchez

ABS, ABST OR NV: Mathis

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