

AB 2097 (Friedman) Summary

Where does it apply?

AB 2097 applies to all areas within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon of the adopted MTP/SCS. A major transit stop is defined in Section 21064.3 of the Public Resources Code, as a site containing a rail transit station or bus rapid transit station, a ferry terminal served by either a bus or rail transit service, or 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. See Attachment B for a map showing where these areas are in the SACOG region based on the adopted 2020 MTP/SCS. The areas are subject to change with each MTP/SCS adoption.

What does it do?

For residential projects with *either* of the following components, local parking minimums are eliminated:

- The project contains less than 20 units
- The development dedicates at least 20% of units to very low, low-, or moderate-income households, students, the elderly, or persons with disabilities.

For all other residential and non-residential projects, local parking minimums are eliminated unless the public agency makes written findings, within 30 days of the receipt of a completed application, that not imposing or enforcing minimum automobile parking requirements on the development would have a substantially negative impact, supported by a preponderance of the evidence in the record, on any of the following:

1. The ability to meet its share of the regional housing need
2. The ability to meet any special housing needs for the elderly or persons with disabilities
3. Existing residential or commercial parking within one-half mile of the housing development project.

Exceptions/Stipulations

- A public agency can still enforce parking for electric vehicles or parking spaces that are accessible to persons with disabilities that would have otherwise applied to the development if this section did not apply.
- When a project provides parking voluntarily, a public agency may impose requirements on that voluntary parking to require spaces for car share vehicles, require spaces to be shared with the public, or require parking owners to charge for parking. A public agency may not require that voluntarily parking is provided to residents free of charge.
- This statute does not apply to commercial parking requirements if it conflicts with an existing contractual agreement of the public agency.
- This statute does not apply when any portion of the project is designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging, except where a portion of the housing development project is designated for use as a residential hotel, as defined.