

Summary of ASSEMBLY BILL No. 904 (Skinner)
Sustainable Minimum Parking Requirements Act of 2012

Draft Legislative Findings

- (1) Land use policies that reduce the cost and complexity of transit-oriented development help ensure a return on that investment.
- (2) Consistent with SB 375 and AB 32, it is state policy to promote transit-oriented infill development.
- (3) Existing minimum off-street parking requirements throughout the state are based on low-density and segregated single land uses.
- (4) Parking is costly to build and maintain and can substantially increase the cost of constructing and operating infill projects.
- (5) The high cost of the land and improvements required to provide parking significantly increases the cost of transit-oriented development, making lower cost and affordable housing development financially infeasible and hindering economic development strategies.
- (6) Increasing public transportation options and developing more walkable and bikeable neighborhoods reduce the demand for parking.
- (7) Excessive governmental parking requirements for infill and transit-oriented development reduce the viability of transit development by limiting the number of households and workers near transit, increasing walking distances, and degrading the pedestrian environment.
- (8) Reducing excessive minimum parking requirements and allowing builders and the market to decide the amount of parking may do the following:
 - a. Ensure sufficient but not excessive amounts of parking.
 - b. Reduce the cost of development and increase the number of transit-accessible and affordable housing units.
 - c. Increase density in appropriate areas, and improve viability of alternate modes of transportation (e.g. public transit, ridesharing, biking, and walking.)
 - d. Reduce green house gas emissions and vehicle miles traveled by removing an incentive to drive.

Key Provisions

In transit-intensive areas*, a city and/or county, including a charter city, shall not require projects to provide a minimum number of off-street parking spaces greater than the following:

- Two parking spaces per thousand square feet of nonresidential projects of 20,000 square feet or less on a single property.
- One parking space per unit for non-income-restricted residential projects.
- Three-quarters parking space per unit for projects that include both income-restricted and non-income-restricted units.
- One-half parking space per unit for units that are restricted for minimum 55 years to rents or prices affordable to households making less than 60 percent of the area median income.

Does not set a maximum number of spaces a project may provide.

Does not limit any local authority to regulate parking impacts from development through exactions, fees, conditions of approval, or other valid exercise of its police power beyond the above limitations.

*Transit-intensive area - an area within one-half mile of a major transit stop or within one-quarter mile of the center line of a high-quality transit corridor. A high-quality transit corridor means a corridor with a fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.

Exemption Provision

A city or county can opt out if it adopts a resolution that makes at least one of the following findings, specific to that transit-intensive area, based upon objective criteria and evidence in the record that:

- The transit-intensive area does not currently have or cannot reasonably expect to have sufficient walkability to justify reduced off-street parking requirements.
- The transit-intensive area does not currently have or cannot reasonably expect to have a sufficient level of transit service or bike access to provide for viable alternatives to the car for a significant proportion of the trips generated by new development.
- The minimum parking requirements set forth in this act would reduce the number of low-income housing units produced in that transit-intensive area through density bonus programs.
- The transit-intensive area in question will be adversely affected by a reduction in minimum off-street parking requirements.