



MINIMUM PARKING REQUIREMENTS (AB 2097)

Government Code § 65863.2

INTRODUCTION

Assembly Bill (AB) 2097 (Chapter 459, Statutes of 2022) prohibits local jurisdictions from imposing parking minimums on residential, commercial, or other development, if the project is located within one-half mile of a major transit stop. Parking minimums may still be imposed on projects that include an event center or transient lodging, such as hotels, motels, and bed and breakfast inns, as well as housing developments under limited circumstances. HCD published an [AB 2097 Technical Advisory](#) to assist local and regional agencies, the development community, and members of the public with the implementation of the law.

The Housing Law Fact Sheets provide an overview of existing laws which the California Department of Housing and Community Development (HCD) has statutory authority to enforce. The fact sheet does not constitute legal advice but is intended to be a resource for local agencies and decision-makers within California, including members of City Councils, Boards of Supervisors, and Planning Commissions.

KEY PROVISIONS

AB 2097 prohibits minimum parking requirements on any eligible residential, commercial, or other development project located within one-half mile of public transit. This law applies without exception to a housing development project in any of the following situations:

- ▶ The development dedicates at least 20 percent of units to very low-, low-, or moderate-income households, students, the elderly, or persons with disabilities.
- ▶ The development contains fewer than 20 housing units.
- ▶ The development is subject to parking reductions under any other applicable law.

Major Transit Stop

The term “major transit stop” is defined as a site that contains any of the following:

- ▶ Existing rail or bus rapid transit station.
- ▶ Ferry terminal served by a bus or rail transit service.
- ▶ Intersection of two or more major bus routes with a frequency of service interval of 20 minutes or less during the morning and afternoon peak commute periods.

Major transit stops that are included in the applicable regional transportation plan (RTP) also qualify, including if they are planned for in the future or if bus service has been reduced or altered since the RTP was adopted.

Exceptions

Public agencies may make written findings, supported by a preponderance of the evidence in the record, within 30 days of the receipt of a completed application for

certain residential, commercial, or other developments, that not imposing parking minimums would have a substantially negative impact on any of the following:

- ▶ Ability to meet very low-income or low-income regional housing need allocation (RHNA).
- ▶ Ability to meet special housing needs for the elderly or persons with disabilities.
- ▶ Existing residential or commercial parking within one-half mile of the housing development project.

RECENT HCD TECHNICAL ASSISTANCE LETTERS

[City of Los Angeles](#),
March 29, 2024

Project is eligible for AB 2097 because planned major transit stops identified in the Regional Transportation Plan are also considered eligible.

[City of Los Angeles](#),
March 8, 2024

Explains the calculation of service frequency for local/rapid bus lines in determining a “major transit stop” for the implementation of AB 2097.

LEGISLATIVE HIGHLIGHTS

Increases Frequency of Transit Headway Times

[AB 2553](#), Friedman (2024); amended
Pub. Res. Code, § 21064.3

Amends the definition of “major transit stop” to include an intersection of two or more major bus routes with a frequency of service interval of 20 minutes or less during the morning and afternoon peak commute periods. Previously, the frequency interval was 15 minutes or less during the peak commute periods.