

**Metropolitan Transportation Commission and Association of Bay Area Governments  
Joint MTC ABAG Legislation Committee**

May 14, 2021

Agenda Item 3d

**Assembly Bill 1401 (Friedman): Residential and Commercial Parking Requirements Near Transit**

- Subject:** Prohibits minimum parking requirements from applying to commercial or residential buildings located within one-half mile of a major transit stop or high quality transit corridor.
- Overview:** AB 1401 prohibits local governments from imposing or enforcing minimum parking requirements for residential, commercial and other developments if the parcel is located within one-half mile walking distance of a high-quality transit corridor or a major transit stop. If the bill were to take effect, a developer would still have the option to provide parking but would do so based on their assessment of need, rather than as a condition of development. Local jurisdictions would not need to modify their existing requirements to comply with the bill; they would simply be unenforceable within the specified areas.
- Recommendation:** Support
- Discussion:** Minimum parking requirements are customary—even sacrosanct—in local planning rules in California and indeed nationwide, but change is underway as local jurisdictions reckon with the impact these requirements have on climate change and housing affordability. In January 2021, the cities of Berkeley and Sacramento eliminated their minimum parking requirements, following the elimination of minimums in San Francisco and San Diego within the last few years. The City of San Jose has been evaluating their parking requirements, a direct result of Climate Smart San Jose, the city’s sweeping climate plan passed in early 2018, in which the city pledged to reduce greenhouse gas emissions to the levels outlined in the Paris Agreement and ensure that by 2040, no more than 25% of commute trips are made by residents driving alone. AB 1401 (Friedman) would not interfere with any of these efforts but would establish some consistency statewide for where minimum parking requirements would not apply—namely areas with decent public transit service.
- Existing Requirements Often Produce More Parking Than Needed*** Minimum parking requirements often result in an oversupply of parking. TransForm’s Greentrip Parking Database (link following <https://www.transformca.org/greentrip/parking-database>) (partially funded by MTC) shows that in 80 multifamily developments across the Bay Area, 28 percent of the developments’ parking was not being used, which is equivalent to 1.1 million sq ft of space and a cost of \$198 million to supply that unused parking. The City of Berkeley found that nearly 50 percent of off-street parking provided for housing projects was vacant, which supported their recent elimination of parking requirements.

***Parking Reform is Strongly Aligned with Plan Bay Area 2050 Goals*** The elimination of minimum parking requirements where there are reasonable alternatives to driving, such as near high quality transit, is strongly aligned with the goals of Plan Bay Area 2050 related to climate, equity and safety. Since the availability of parking is strongly associated with higher rates of vehicle ownership and vehicle miles traveled, it is also a clear contributor to greater greenhouse gas and other air quality pollutants, vehicle-related injuries and deaths, and higher transportation costs. A recent study (link following <https://www.sightline.org/2021/01/28/more-parking-isnt-harmless-it-actually-makes-us-drive-more/>) of San Francisco's affordable housing program by the Sightline Institute found that projects with more on-site parking induce more auto ownership, leading to more driving, less transit use, and less walking. Parking also directly takes up land that could be used for other uses, such as more housing. For example, parking requirements in Los Angeles reduced the number of units in an apartment building by 13 percent according to a study (link following [shoup.bol.ucla.edu/HighCost.pdf](http://shoup.bol.ucla.edu/HighCost.pdf)) by the renowned parking policy scholar Professor Don Shoup, with UCLA.


***Parking Requirements Drive Up Cost of Housing*** A recent Turner Center study (link following [californialanduse.org/download/Mawhorter\\_Housing\\_Policies\\_in\\_California\\_Cities.pdf](http://californialanduse.org/download/Mawhorter_Housing_Policies_in_California_Cities.pdf)) found that places with higher parking requirements were associated with limited housing supply, resulting in higher prices and lower rates of homeownership and household formation among young people. The study also found that reducing parking requirements is one of *the most* significant steps a city can take to facilitate the construction of more housing because it is such a significant cost of housing development. A SPUR (link following <https://www.spur.org/news/2020-04-27/sheltering-place-reveals-how-much-parking-dominates-our-cities-and-lives>) survey of Bay Area developers released in April 2020 found that parking costs between \$30,000-\$75,000 per parking spot ranging from surface parking at the low-end and underground parking at the high-end. Given how costly housing construction is in the Bay Area, elimination of minimum parking requirements is an incredibly cost-effective tool to incentivize the construction of more housing.

***Where Would the Bill Apply?*** AB 1401's provisions would apply within one-half mile of a major transit stop or a high quality transit corridor. In these areas, commercial and residential developers could still build parking based on their assessment of market need, but would not be required to do so. Current law defines a "major transit stop" as an existing rail 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. A "high-quality transit corridor" means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours. An illustration of where these areas are located in the Bay Area is included as Attachment A.

Consistent with our Plan Bay Area 2050 climate goals and our 2021 Advocacy Program's goals to support proposals to lower the cost of affordable housing production and reduce single-occupancy vehicle travel, staff recommends the Committee forward a support position on AB 1401 to the Commission and the ABAG Executive Board.

**Bill Positions:** See Attachment B

**Attachments:** Attachment A: Map – Transit Priority Areas & High-Quality Transit Corridors (January 2020 Transit Service)  
Attachment B: Bill positions

  
\_\_\_\_\_  
Therese W. McMillan



# TRANSIT PRIORITY AREAS & HIGH-QUALITY TRANSIT CORRIDORS JANUARY 2020 TRANSIT SERVICE

- Transit Priority Area\*
- High-Quality Transit Corridor (1/2 MI Buffer)\*\*

\*A Transit Priority Area is defined as an area 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 included in a Transportation Improvement Program or applicable regional transportation plan.

\*\*A High-Quality Transit Corridor is defined as an:  
- Existing fixed-route bus corridor with headway of 15 minutes or better during both the morning and evening peak periods; or  
- Fixed-route bus corridor with headway of 15 minutes or better during both the morning and evening peak periods in an adopted RTP

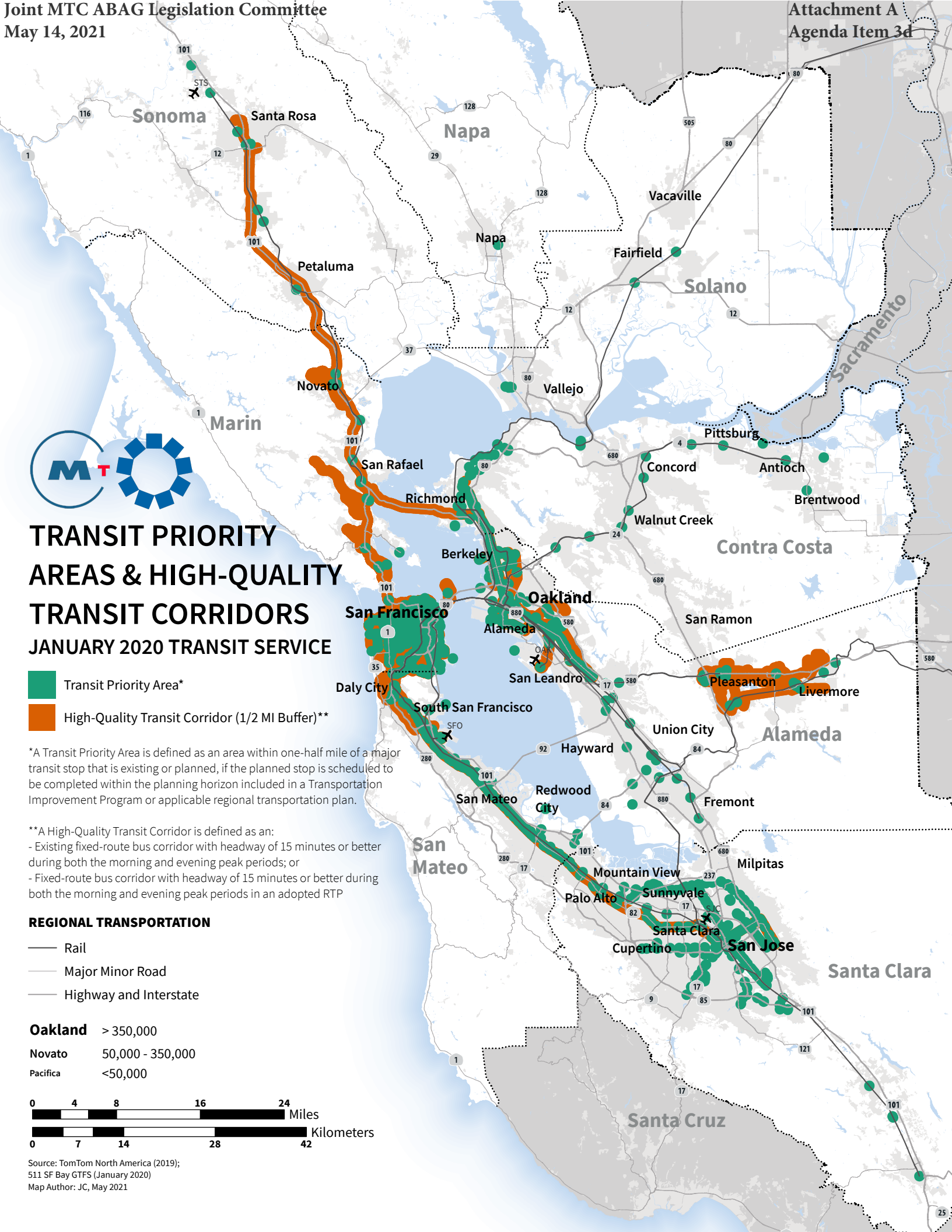
## REGIONAL TRANSPORTATION

- Rail
- Major Minor Road
- Highway and Interstate

**Oakland** > 350,000  
**Novato** 50,000 - 350,000  
**Pacifica** <50,000



Source: TomTom North America (2019);  
511 SF Bay GTFS (January 2020)  
Map Author: JC, May 2021



**AB 1401 (Friedman) Bill Positions  
(As of 4/29/21)**

**Support**

Abundant Housing LA (Co-Sponsor)  
California YIMBY (Co-Sponsor)  
Council of Infill Builders (Co-Sponsor)  
SPUR (Co-Sponsor)  
350 Bay Area Action  
AARP  
Active SGV, a Project of Community Partners  
Bay Area Council  
Bay Area Rapid Transit (BART)  
Cal Asian Chamber of Commerce  
California Downtown Association  
California Interfaith Power & Light  
California Restaurant Association  
California State University, Pomona,  
College of Environmental Design  
Casita Coalition  
CBIA  
Central City Association  
Chan Zuckerberg Initiative  
Circulate San Diego  
City Council Member, City of Gilroy  
Civic Enterprise  
Coddling Enterprises  
East Bay for Everyone  
Fieldstead and Company, INC.  
Greenbelt Alliance  
Habitat for Humanity California  
Hello Housing  
Housing Action Coalition  
Independent Hospitality Coalition  
LISC San Diego  
Local Government Commission  
Long Beach YIMBY  
MidPen Housing  
Modular Building Institute  
Mountain View YIMBY  
Natural Resources Defense Council  
Northern Neighbors  
Parkade

Peninsula for Everyone  
People for Housing - Orange County  
Related California  
San Fernando Valley YIMBY  
San Francisco YIMBY  
Santa Cruz YIMBY  
Silicon Valley Leadership Group  
South Bay YIMBY  
Streets for All  
Streets for People Bay Area  
Turner Center for Housing Innovation at the  
University of California, Berkeley  
The Two Hundred  
TMG Partners  
Transform  
UC Berkeley School of Law's Center for  
Law, Energy, and the Environment  
UCLA Department of Urban Planning  
Urban Environmentalists  
Urban Mix Development  
West Third Street Parking and Public  
Improvement Association  
YIMBY Action

*Support If Amended*

American Planning Association, California  
Chapter

**Opposition**

Albany Neighbors United  
California Cities for Local Control  
California Contract Cities Association  
Century Glen HOA  
City of Corona  
City of Fountain Valley  
City of Pleasanton  
Livable California  
Town of Truckee  
Ventura Council of Governments