

PARKING EXEMPTIONS AB-2097

January 2023

DEFINITION OF PUBLIC TRANSIT

It includes a major transit stop, which is defined as: (i) an existing rail transit station, (ii) a ferry terminal served by either a bus or rail transit service, or (iii) 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.



NEW PARKING LAWS IN EFFECT JANUARY 2023

In September of 2022, Governor Gavin Newsom signed into law Assembly Bill (AB) 2097. Subject to certain limited exceptions, AB-2097 prohibits public agencies from imposing or enforcing a minimum parking requirement on a residential, commercial, or other development project that is within one-half mile of defined “public transit”. AB-2097 will apply starting January 1, 2023. The law can be found in CA Government Code Section [65863.2](#).

WHAT IS THE REASON FOR THE LAW?

AB-2097 is the latest in a series of bills passed by the State legislature to increase housing production. As to the policy reasons, the bill aims to decrease development cost by eliminating a key obstacle for new developments – parking. By reducing the oversupply of automobile parking, there is the expectation that the use of alternative transportation will increase, thereby reducing traffic, greenhouse emissions, and air pollution.

IS PARKING REQUIRED FOR MY PROJECT?

- To confirm the locations where this statute applies, you can find the Transit and Land Use StoryMap online at Santa Barbara County Association of Governments (SBCAG) [Regional Data Platform](#).
- The parking exemptions in AB-2097 will apply to all new ground-up development as well as changes in use of existing buildings that are within the mapped area.
- All classifications of land uses (both residential and nonresidential) will benefit from the prohibition of mandatory parking minimums – *except that event centers* and projects that include a **hotel, motel, or other transient lodging** (e.g., short term rentals) are excluded by state law.



IS VOLUNTARILY PARKING ALLOWED?

Yes. AB-2097 does not prohibit off-street parking from being built if that is desirable. Voluntary parking may be provided at a ratio less than what is required by the Zoning Ordinance. Housing projects developed under the Average Unit-Size Density Incentive Program (AUD) in the Central Business District (CBD) are still limited to a maximum of one parking space per unit.

If parking is provided, a certain percentage of parking spaces must be made accessible to persons with disabilities and provided as Electric Vehicle (EV) spaces in accordance with the Building Code. Parking spaces must comply with the City's [Access & Parking Design Standards](#) and any other design or development standards.

WILL THIS APPLY IN THE COASTAL ZONE?

Yes. For the City's Coastal Zone, AB-2097 affects parcels within a half-mile of the train station, including all of the Funk Zone and the West Beach neighborhoods. This law would not affect the requirement for a Coastal Development Permit (CDP) for a "change in the density or intensity of use".



CAN THE CITY STILL REQUIRE PARKING?

Yes – but only in very limited situations. AB-2097 gives the City the right to impose parking minimums if there is a "substantially negative impact" to certain projects. AB-2097 does not preclude the City from requiring bicycle parking, which must be provided per the Zoning Ordinance. In addition, on-site loading areas may be required if there is a safety or circulation concern.

HOW WILL THIS IMPACT STREET PARKING?

The potential impacts of this new legislation on traffic and parking have yet to be understood. Parking demand in the mapped area is anticipated to be lower than the rest of the City because existing services and employment are already in walking, biking, and transit proximity. Residents should be aware that new development will not qualify for the [Residential Permit Parking Program](#).



WHO DO I CONTACT WITH QUESTIONS?

The staff at the City's Permit Counters are available to answer general questions through virtual and in-person appointments, as well as through phone or email. Please visit: [SantaBarbaraCA.gov/PermitCounters](https://www.santabarbaraca.gov/PermitCounters)