



# AB 2923 TOD Conformance Findings

Board Presentation

August 25, 2022



# Presentation Overview

- Background
- Recommended conformance findings
- Request to adopt a resolution

# Background

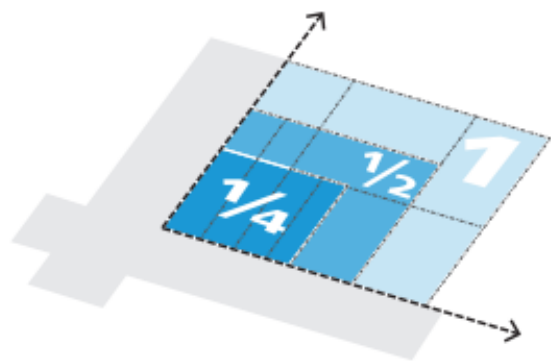
- AB 2923 requires TOD zoning on developable BART-owned land
  - Baseline zoning standards are determined by TOD Place Type
- This is the 9<sup>th</sup> time for staff to present AB 2923 to the Board
  - Most recent was July 28, 2022, to present findings of local zoning conformance
- Request today is to adopt a resolution
  - AB 2923 conformance findings for each zoning standard of each affected parcel

1 BART-owned land in these counties\*

\*Counties that elect BART Board representation, which do not include San Mateo or Santa Clara counties.



2 1/4 acre or more of land



3 Within 1/2 mile of BART station entrance

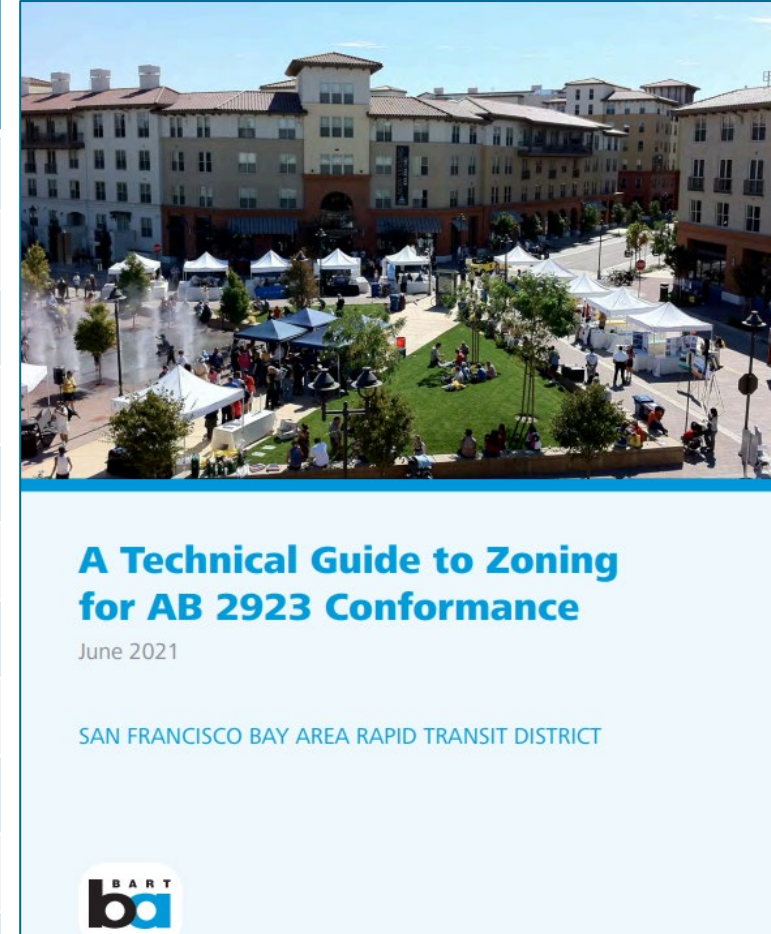




# Background

Zoning standard for each parcel	What it means to conform to AB 2923 (applies to entire parcel)
1. Land use	Residential must be allowed
2. Residential density	75 dwelling units per acre must be allowed
3. Building height	5, 7, or 12 stories must be allowed*
4. Floor area ratio (FAR)	3.0, 4.2, or 7.2 must be allowed*
Vehicle parking (5 through 9)	
5. Shared	Shared parking must not be prohibited
6. Unbundled	Unbundled parking must not be prohibited
7. Minimum	No minimum parking requirements for any use
8. Residential maximum	1.0, 0.5, or 0.375 spaces per dwelling unit*
9. Office maximum	2.5, 1.6, or 0 spaces per 1,000 square feet*
10. Bike parking minimum	1.0 secure space per dwelling unit

\* Number depends on the station's TOD Place Type of Neighborhood/Town Center, Urban Neighborhood/City Center, or Regional Center, respectively.



# Recommended Conformance Findings

- EDD Attachment A: Summary of Conformance Findings by Station
- Two possible findings for each of the 10 zoning standards

Determination	Findings	In Summary
Local zoning conforms	Retain local zoning	RLZ
Local zoning does not conform	AB 2923 Baseline Zoning Standards become the local zoning as of August 25, 2022, until AB 2923 sunsets January 1, 2029	AB 2923

- Example of Bay Fair from Attachment A

Station	Assessor Parcel Number	TOD Place Type/ AB 2923 Baseline Zoning Standards	Jurisdiction	Land Use	Residential Density	FAR	Building Height	Vehicle Parking					Secure Bike Parking
								Shared	Unbundled	Minimum	Residential Maximum	Office Maximum	
Bay Fair	077D-1490-019-00	Neighborhood/ Town Center	San Leandro	RLZ	RLZ	RLZ	RLZ	RLZ	RLZ	RLZ	RLZ	RLZ	RLZ
	080D-0565-029-00		Alameda County	RLZ	AB 2923	AB 2923	AB 2923	RLZ	RLZ	AB 2923	AB 2923	AB 2923	AB 2923
	080D-0563-017-00			RLZ	AB 2923	AB 2923	AB 2923	RLZ	RLZ	AB 2923	AB 2923	AB 2923	AB 2923
	080D-0568-030-00			RLZ	AB 2923	AB 2923	AB 2923	RLZ	RLZ	AB 2923	AB 2923	AB 2923	AB 2923
	080D-0568-031-00			RLZ	AB 2923	AB 2923	AB 2923	RLZ	RLZ	AB 2923	AB 2923	AB 2923	AB 2923
	080D-0565-030-00			RLZ	AB 2923	AB 2923	AB 2923	RLZ	RLZ	AB 2923	AB 2923	AB 2923	AB 2923

- Roughly half of Bay Fair is in San Leandro while the other half is in unincorporated Alameda County.

# Resolution to be Considered for Adoption

- “Attachment A: Summary of AB 2923 Conformance Findings by Station,” dated August 12, 2022, constitute BART’s finding of conformance with AB 2923 Baseline Zoning Standards. Where local zoning does not conform, AB 2923 Baseline Zoning Standards become the local zoning as of August 25, 2022, until AB 2923 sunsets January 1, 2029.