



## **AB 2923 (Chiu)**

### **San Francisco BART Transit-Oriented Development**

AB 2923 applies a streamlined approval process to eligible transit-oriented development (TOD) projects in the San Francisco Bay Area Rapid Transit (BART) District on BART-owned land. The bill requires cities and counties to adopt zoning standards consistent with BART's TOD guidelines.

Because BART owns no property and has no station located within Brisbane city limits, the provisions of AB 2923 have no current impact on the City of Brisbane. It is, however, an example of several recent laws enacted by the State which place new or additional restrictions on housing-related land use decisions by local government. The provisions of AB 2923 become effective January 1, 2019.

#### **Specifically, this bill...**

- Provides streamlined approval of eligible TOD projects proposed on BART-owned land.
- Requires BART's board to adopt new transit-oriented development (TOD) zoning standards for each station that establish minimum local zoning requirements for height, density, parking, and floor area ratio, that apply to an eligible TOD project.
- Requires affected local jurisdictions to adopt a local zoning ordinance that conforms to the TOD zoning standards within 2 years of the date that the TOD zoning standards are adopted by the board for a station, or by July 1, 2022, if the board has not adopted TOD zoning standards for the station.
- BART's approval of TOD zoning standards is subject to California Environmental Quality Act (CEQA) review and would designate BART as the lead agency for CEQA review.
- Where local zoning remains inconsistent with the TOD zoning standards after July 1, 2022, requires the TOD zoning standards to become the local zoning for any BART-owned parcel where the parcel has at least 75% of its area located within 1/2 mile of any existing or planned BART station entrance within the BART district in areas represented on the board.

#### **Under AB 2923, eligible TOD projects must meet all of the following conditions:**

- The project is located on an infill site;
- The land for the project was not acquired through eminent domain on or after July 1, 2018.



- The land for the project:
  - Is owned by BART;
  - Forms a contiguous area of at least 0.25 acres;
  - Has at least 75 percent of its area located within 1/2 mile of an existing or planned BART station entrance; and
  - Is located within an area represented on the BART board.
- For stations that existed on July 1, 2018, the land must be owned by BART as of July 1, 2018.
- For planned stations, the local jurisdiction with land use authority over the station and CEQA review, completed their review and approved the BART station.