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**SENATE COMMITTEE ON HOUSING**  
**Senator Scott Wiener, Chair**  
**2021 - 2022 Regular**

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**Bill No:** AB 2863

**Hearing Date:** 6/21/2022

**Author:** Wilson

**Version:** 4/21/2022

**Urgency:** No

**Fiscal:** Yes

**Consultant:** Andrew Dawson

**SUBJECT:** Green building standards: bicycle parking

**DIGEST:** This bill requires the Department of Housing and Community Development (HCD) and California Building Standards Commission (CBSC) to research, develop, and propose building code standards for bicycle parking in multifamily residential buildings, hotels, nonresidential buildings, and motels.

**ANALYSIS:**

*Existing law:*

- 1) Establishes the California Building Standards Commission (CBSC) and requires any standards adopted or proposed by state agencies to be submitted to, and approved by, the CBSC.
- 2) Requires the Department of Housing and Community Development (HCD) to propose adoption, amendment, or repeal of building standards to CBSC for residential buildings. CBSC proposes standards for nonresidential buildings.
- 3) Requires CBSC to publish the California Green Building Standards Code (CALGreen) it its entirety every three years along with supplement pages 18 months after each three-year revision.

**This bill:**

- 1) Requires HCD to research, develop, and propose for adoption mandatory building standards for short and long-term bicycle parking in multifamily residential buildings, hotels, and motels.
- 2) Requires CBSC to research, develop, and propose for adoption mandatory building standards for short and long-term bicycle parking in nonresidential buildings.

- 3) Requires the standards to be independent of the number of vehicle parking spaces.
- 4) Requires this all to be done by the next triennial update to CalGreen.

**COMMENTS:**

- 1) *Author's Statement.* According to the author, "While California leads the nation in setting and maintaining air quality and emission standards, millions of Californians continue to live with some of the worst air quality in the country, and suffer the illnesses and chronic health conditions associated with air pollution. Land use planning, building standards and increasing access to alternative modes of transportation would help the state take a step towards meeting its climate goals. AB 2863 would direct our state agencies to create standards that ensure bicycle parking in new buildings to provide increased access to alternative modes of transportation and reduce our emissions footprint."
- 2) *Proposing Building Codes.* The California Building Standards Code (Title 24) serves as the basis for the design and construction of buildings in the state. California's building codes are published in their entirety every three years; intervening code adoption cycles produce supplement pages halfway (18 months) into each triennial period. Amendments to California's building standards are subject to a lengthy and transparent public participation process throughout each code adoption cycle. Through this process, relevant state agencies propose amendments to building codes, which the CBSC must then adopt, modify, or reject. HCD is the relevant state agency for residential building codes and the commission itself is for non-residential buildings.

HCD and CBSC have an open, public process in proposing building codes. They use public focus group meetings, relevant state agencies, stakeholder groups, building officials, local government agencies, construction industry representatives, environmental community representatives, building product manufacturer representatives, and others for gathering input for the proposed building standards. This bill directs HCD and the commission to propose building codes for bicycle parking through their traditional building standards adoption process.

- 3) *Existing Building Codes.* There are no mandatory codes for residential buildings concerning bicycle parking. For non-residential buildings, however,

when a new addition is anticipated to generate visitor traffic, readily visible bicycle racks must be added within 200 feet of the entrance. There must be bike parking available in the amount equal to 5% of new vehicle parking spaces being added. There is a minimum of one two-bike capacity rack. For long-term bicycle parking in non-residential buildings, the requirement is 5% of tenant occupant vehicular parking spaces with a minimum of one parking facility if there are 10 or more tenants. An acceptable facility for long-term parking can be a covered lockable enclosure, lockable bike room, or lockers. This bill is proposing mandatory building standards be developed for both residential and non-residential building and have the standards be independent of the parking spaces.

- 4) *Sustainability goals.* AB 32 (Núñez, Chapter 488, Statutes of 2006) requires California to reduce greenhouse gas (GHG) emissions to 1990 levels by 2020 and 60% of 1990 levels by 2030. The California Air Resources Board (CARB) has reported that California has achieved its 2020 goal.<sup>1</sup> Transportation is responsible for over 40% of California's GHG emissions so, by improving transportation, California can significantly lower its GHG emissions.<sup>2</sup> The state is focusing on a number of ways to do this. One is to motivate drivers to switch to zero-emission vehicles. Another method is to encourage the use of public transit or reduce how far people need to travel in their daily life, lower their vehicle miles travelled (VMT). To accomplish this, programs like the Affordable Housing and Sustainable Communities or Infill Infrastructure Grant Program provide funding for housing that also helps reach GHG emission goals.

To encourage use of transit, some cities and counties have adopted policies like eliminating minimum parking requirements for projects that are close to transit where demand for parking spaces is low. In addition, CARB conducted a limited review of minimum parking requirements and found that parking requirements often result in an over-supply of parking. However, because of how the building codes are now, if vehicle parking is reduced, so is bike parking. Thus, this bill aims to make bike parking independent of vehicle parking so that reductions in parking requirements would not discourage biking.

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<sup>1</sup> California Air Resources Board. *California's 2017 Climate Change Scoping Plan*. Nov. 2017. [California's 2017 Climate Change Scoping Plan](#)

<sup>2</sup> California Air Resources Board. *Current California GHG Emission Inventory Data*. [Current California GHG Emission Inventory Data | California Air Resources Board](#)

**RELATED LEGISLATION:**

**AB 32 (Núñez, Chapter 488, Statutes of 2006)** — required California to reduce greenhouse gas (GHG) emissions to 1990 levels by 2020 and 60% of 1990 levels by 2030.

**AB 2097 (Friedman, 2022)** — prohibits a public agency from imposing automobile parking requirements on specific developments. *This bill will be heard today in this hearing.*

**SB 1067 (Portantino, 2022)** — prohibits a public agency from imposing automobile parking requirements on specific developments. *This bill is in the Assembly Housing and Community Development Committee.*

**FISCAL EFFECT:** Appropriation: No    Fiscal Com.: Yes    Local: No

**POSITIONS:** **(Communicated to the committee before noon on Wednesday, June 15, 2022.)**

**SUPPORT:**

Sacramento Area Bicycle Advocates (Sponsor)  
Solano Transportation Authority

**OPPOSITION:**

None received.

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