

SUPPORT THE PROVISION OF DISABLED PARKING AND EV CHARGING SPACES IN ALL NEW CONSTRUCTION UNDER AB 2097 AND LOS ANGELES CITY EXECUTIVE DIRECTIVE 1 (ED1)

WRAC Mobility and Transportation Committee

October 16, 2024

Broide/Inouye, passed 9-1-0

“The _____ NC/CC, a member of the Westside Regional Alliance of Councils (WRAC), requests that the Department of City Planning (DCP) reconsider their position stated in their memorandum SUBJECT: IMPLEMENTATION OF AB 2097 (2022), dated October 23, 2023, with regard to Disabled Parking and EV charging spaces. This memorandum is in conflict with the language of AB 2097, which allows cities to provide EV charging and parking for the disabled even if no other parking is voluntarily provided. We respectfully request that DCP review the language in AB 2097 within the context of disabled rights and the City of Los Angeles’ active support for EV vehicles, and reconsider the decision not to implement the exemption language in AB 2097, which provides for disabled parking and EV charging in new construction. Furthermore, we request that EV charging and parking for the disabled be included in all Executive Directive 1 (ED1) projects as well.”

<https://planning.lacity.gov/project-review/assembly-bill-2097>

https://planning.lacity.gov/odocument/ecf69160-4a89-4078-a0b6-15ad6fdfbc33/AB2097_Memo_Oct_2023.pdf

[Council File 22-0002-S117 \(expired\)](#)

BACKGROUND

California Assembly Bill 2097 (AB 2097) Residential, commercial, or other development types: parking requirements.

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB2097

AB 2097 was signed into law in September 2022, and prohibits cities and counties from enforcing parking mandates within 1/2 mile of high-quality transit service.

After the passage of AB 2097, the City of Los Angeles Department of City Planning (DCP) released a memorandum on October 23, 2023, with the Subject: *Implementation of AB 2097 (2022)*(attached.) DCP's interpretation of how AB 2097 should be implemented in Los Angeles states:

“Since EV and Disabled Access requirements apply to parking spaces otherwise "provided" by the development project, if any parking spaces are voluntarily provided, EV and Disabled Access standards should be complied with when applicable.”

In other words, if no parking spaces are voluntarily provided, then no EV or Disabled parking needs to be provided either.

However, upon closer analysis of the Legislative Counsel's digest and the text of AB 2097 at the [California Legislative Information website](#), it appears that DCP's interpretation of this law is not correct. The digest states:

The bill would prohibit these provisions from reducing, eliminating, or precluding the enforcement of any requirement imposed on a housing development project that is located within 1/2 mile of public transit to provide electric vehicle supply equipment installed parking spaces or parking spaces that are accessible to persons with disabilities.

In other words, AB 2097 does not negate requirements for Electric Vehicle Charging Stations (EVCS) or Disabled Parking Spaces.

The members of the WRAC Mobility and Transportation Committee believe that EV charging and Disabled parking should always be provided, whether parking spaces are voluntarily provided or not, for the following reasons:

- 1) if the City of Los Angeles is serious about its commitment to encouraging EV use - which it has stated as a commitment to increase

the percentage of zero-emission vehicles on city roads to 25% by 2025, 80% by 2035, and 100% by 2050 - then it should include EV charging stations in every new construction and Executive Directive 1 (ED1) project to increase the inventory of EV chargers in the City,

and

- 2) if the City of Los Angeles is committed to full access for persons with disabilities to housing, then Disabled parking should be a requirement in every new construction and ED1 project, as it makes the housing project accessible and disabled-friendly, which increases the chances that a person with a vehicle with a disabled placard/plate and/or an adaptive vehicle can live there.

EV CHARGING

According to the white paper [Los Angeles Electric Vehicle Charging Infrastructure Needs And Implications For Zero-Emission Area Planning](https://theicct.org) from the International Council on Clean Transportation (<https://theicct.org>), most electric vehicle charging happens at home. This is because home EV charging is less expensive and more convenient than public options. Home chargers make up 90% of charger needs and are 60% of total EV energy demand.

To meet the increase in EVs, Los Angeles will need roughly 536,000 home chargers by 2030, which will accommodate 1.3 million electric vehicles. It remains to be seen if people living within 1/2 mile of high-quality transit will give up their vehicles. If they do keep a vehicle, it makes sense to encourage them to drive a clean air EV. And since most charging happens at home, providing EV chargers in new construction, including Executive Directive 1 (ED1) projects, helps the City of Los Angeles meet their EV use goals.

DISABLED PARKING

The non-profit Disability Rights California (DRC) (<https://www.disabilityrightsca.org>) wrote a detailed section about the need for disabled parking in housing projects in their article [Letter: \[Docket No. FR-6257-A-01\] Nondiscrimination on the Basis of Disability: Updates to HUD's Section 504 Regulations. RIN 2529-AB03](#). This is under the heading Question 8: Public and Common Areas and Advances in Technology, 2. Parking and transportation access is a major challenge.

These are the main points brought up by DRC:

- 1) A major problem for people with disabilities is parking and transportation access. Buildings with adequate accessible parking spaces are rare. DRC recommends that there should be one disabled parking space for every mobility unit, plus parking spaces for their guests and service providers.
- 2) People with disabilities have difficulty accessing public transit, and paratransit is both unreliable and scarce. Many people with disabilities rely instead on vehicles, including adaptive vehicles. And as cities and counties move towards EVs, accessible EV charging stations/parking stations should be required.
- 3) The fact is that newer developments built with limited or no parking make it extremely challenging for people with disabilities who need their vehicles. It is critical that regulations require accessible parking, even when no other parking is on site.
- 4) And because not all individuals with disabilities own a vehicle, equal consideration needs to be given to the transportation needs of those who do not own a car. For some people with disabilities, traveling 1/2 mile to transit is too far. For some people with disabilities, transit is simply not accessible. To help these persons, housing projects need pick up/drop off zones for accessible ride shares and paratransit, and parking spaces for their service providers who are able to come to them.