



AB 2923 Conformance Checklist Instructions for Local Jurisdictions
June 2021

Local jurisdictions should provide BART with the following information from their applicable regulatory documents to demonstrate conformance with requirements for residential density (DU/acre), floor-area ratio (FAR), building height, and vehicle and bicycle parking for AB 2923 parcels. More information can be found in *A Technical Guide to Zoning for AB 2923 Conformance*, located at www.bart.gov/ab2923.

- Cover transmittal listing the contents of the conformance package.
- Completed AB 2923 Conformance Checklist Workbook that contains all AB 2923 parcels.
 - o Rename and copy the “<APN#>” tab for each AB 2923 parcel unless zoning is identical for two or more parcels.
- A Zoning Map identifying all AB 2923 parcels and their TOD Place Type designation. The ArcView Online map may used to identify AB 2923 parcels, found [here](#) or at www.bart.gov/ab2923.
- The Chapter or Section of your jurisdiction’s zoning code (or specific plan) pertaining specifically to the AB 2923 parcels, which could be in the form of a new district or an amended existing district. Portions of the chapter or section that show the specific standards for DU/acre, FAR, building height, and/or vehicle and bicycle parking should be clearly highlighted.
- Excerpts from other chapters or sections of the zoning code (or specific plan) that show the specific standards for DU/acre, FAR, building height, and/or vehicle and bicycle parking, as applicable. The specific chapter and/or section should be identified.

Format of the conformance packages	The conformance package should be provided in PDF format (one file) and the AB 2923 Conformance Checklist Workbook should additionally be provided in Excel. Alternatively, the conformance package could be provided in PDF format, with some sections provided via links, as identified by you in the AB 2923 Conformance Checklist Workbook.
Timeline for reporting	The conformance package should be submitted by the due dates below: <ul style="list-style-type: none"> • Friday, December 17, 2021: Preliminary report • Friday, April 2, 2022: Final report
Findings and determinations	BART will use the conformance package to “... <i>make a finding as to whether the local zoning ordinance conforms to the TOD zoning standards.</i> ” (PUC section 29010.6(d)(2)). BART will also use the conformance package to determine if a jurisdiction is exempt from AB 2923 requirements (parking requirements excepted), which is allowed when a jurisdiction’s zoning as of July 1, 2018 is within

	<p>10 percent of the building height and FAR requirements of AB 2923. (PUC section 29010.6(d)(4)).</p> <p>BART will make its findings no later than the state’s deadline of July 1, 2022.</p>
<p>A collaborative effort:</p>	<p>Local jurisdictions are encouraged to submit proposed zoning revisions to BART prior to adoption of the code amendments, so that jurisdictions have time to revise the standards following BART review, as needed.</p> <p>BART staff will be able to work most effectively with jurisdictions that submit conformance packages well in advance of the due dates to identify conformance issues and provide opportunities to address these issues before BART makes an official finding.</p>