



American Planning Association
California Chapter

Creating Great Communities

May 7, 2021

Assembly Member Laura Friedman
State Capitol, Room 6011
Sacramento, California 95814

SUBJECT: **Support if Amended for AB 1401 (Friedman) – Statewide Prohibitions on Minimum Parking Requirements for Residential and Commercial Developments Near Public Transit**

Dear Assembly Member Friedman:

The American Planning Association, California Chapter (APA California) has taken a support if amended position for AB 1401, which would prohibit a local government from imposing or enforcing minimum automobile parking requirements for both residential and commercial developments, if such developments are located within a ½ mile of public transit.

APA California is supportive of the goals of AB 1401 and other efforts that encourage developing walkable communities, enhancing high-quality transit options and reducing reliance on private automobiles. With these goals in mind, our organization is also supportive of encouraging housing development, particularly affordable housing. APA California agrees that the proposed changes in AB 1401 would help reduce the cost of infill development and encourage less reliance on private automobiles.

While we fully support the goals of this bill, we continue to suggest that AB 1401 be amended to coordinate with the state's Density Bonus Law for the residential provisions of the bill. The state has already created a linkage between affordable housing production and parking reductions that jurisdictions are required to provide for under Density Bonus programs. The Legislature also continues to expand the use of Density Bonus as a way to bolster affordable housing, and there are limited other tools available for local jurisdictions to secure production of income-restricted units that provide ongoing affordability. Although AB 1401's parking reduction provisions have value on their own, we believe that the across-the-board policy change AB 1401 proposes should not devalue other state programs used to incentivize on-site affordable housing production.

We appreciate the time your office and the sponsors have taken to discuss the bill and we look forward to continuing meaningful conversations that we believe are important to further the benefits of AB 1401 and Density Bonus Law. Below are suggested amendments that we would like to keep discussing with you as the bill moves:

Affordable Housing and Density Bonus

Keeping this important tool in mind, APA California had originally suggested requiring residential developments to qualify for a Density Bonus to be eligible for the waiver of minimum parking requirements provided for in AB 1401. However, upon further discussions, we understand that on-site affordable housing production is not always feasible for smaller projects. To strike a balance between not over-burdening smaller projects, and not taking away an incentive to produce affordable housing in larger projects that are better able to support the cost, we would instead suggest that developments of 10 units or more should move into the Density Bonus statute to receive full parking waivers. This would still allow smaller developments to receive the reduced parking minimums under AB 1401, as currently proposed. This would also be consistent with other streamlining tools, such as SB 35 (Wiener, 2017), which excludes most residential developments with 10 or fewer units from its affordability requirements.



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While we understand that there are concerns that Density Bonus has been unevenly used throughout the state, it remains one of the few tools through which cities can produce housing affordable for low-income households in the absence of public funding. Additionally, most data regarding the use of Density Bonus was collected prior to recent amendments to permit projects to qualify for parking reductions and other incentives/concessions without requiring additional density. In fact, we hope that the greater incentives offered by AB 1401, if amended, would increase Density Bonus use by creating more significant cost savings for projects. It would also provide for more consistency with existing affordable housing tools and still provide the full benefits of parking waivers to smaller developments.

Finally, APA California is supportive of the waiver of minimum parking requirements for commercial projects as proposed. We look forward to continuing discussions on the bill and we appreciate your efforts on this important issue. If you have any questions, please contact Lauren De Valencia, Stefan/George Associates, APA California's lobbyist, at 916 443-5301, lauren@stefangeorge.com.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Eric Phillips', with a long horizontal flourish extending to the right.

Eric Phillips
Vice President Policy and Legislation
APA California

cc: Members of the California State Assembly
 Assembly Republican Caucus
 The Governor
 The Office of Planning and Research
 The Department of Housing and Community Development