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The Honorable Jerry Brown
Governor, State of California
State Capitol, First Floor
Sacramento, CA 95814

September 10, 2015

**RE: AB 744 (Chau) – Restricting Available Parking for Low Income Housing
Request for Veto**

Dear Governor Brown,

The League of California Cities respectfully requests your veto of AB 744, which would undermine local control by establishing unrealistically low parking standards for various affordable housing projects. While this measure may be well-intended, it remains fundamentally flawed, and we encourage your thoughtful review.

State efforts to micromanage local issues can have their consequences. This bill severely restricts the ability of local governments to ensure developers provide adequate parking for residents of the affected projects. Developers can already negotiate parking reductions with local agencies under Density Bonus Law, but AB 744 imposes unrealistic fixed ratios that lack recognition of existing local conditions, and excludes additional parking for guests and service providers.

Local planning must reflect reality not wishful thinking. Residents of affordable housing have cars. Seniors have cars. Guests and service providers have cars. Housing developments should be designed to adequately accommodate actual needs, including parking. Residents need to commute to jobs, to take children to doctor's appointments, or to school, or occasionally visit a state park or the ocean. Transit does not go everywhere and can be inadequate, unreliable and unsafe. Bus routes ½ mile away will not work for many seniors and special needs residents. Why should state policy limit the options and choices of low income residents by designing projects with less parking than needed, when the affluent in society always preserve their options?

Subdivision "(h)" of the intent language, criticizes local agencies for requiring off-street parking for residential construction because "*they shift what should be the cost of driving, the cost of parking a car, into the cost of housing, which artificially increases the cost of housing.*" Subdivision (m) of the intent language states that "*Minimum parking requirements provide large subsidies for parking, which in turn encourage more people to drive cars.*"

Purposely under-parking affordable housing developments will have real consequences. Low income families, seniors and special needs residents affected by this bill will either:

- 1) Be forced to spend their limited income to pay for private parking space off- site.

- 2) Be required to park on the street at an inconvenient and potentially unsafe distance from their homes.
- 3) Be pressured to choose between living in new affordable housing or giving up their cars and the flexibility for employment opportunities and quality of life that goes with them.

One policy rationale for this bill is that reducing parking requirements will supposedly allow the savings to be used to build additional units. But nothing in the bill actually does that. For example, under subdivision (p) (2) private developers of market rate units providing minimum levels of affordable housing (11% very low or 20% low) who already qualify for other incentives under DB Law can have their entire project qualify for parking caps of only ½ space per bedroom; nothing prohibits the developer from pocketing any savings and leaving the neighborhood to deal with spillover issues.

Doing a parking study has been pointed to as supposed relief from the parking caps imposed by this bill. This gives little comfort. The parking caps do not reflect realistic parking demand from such projects, so local agencies will likely need to impose local moratoria while they hire consultants and spend \$30,000 to \$50,000 for parking studies under the law. The provision referring to previous studies done within the past seven years is also of little value because the prescriptive “*including, but not limited to*” list of items that must be included in such a study obviously did not exist when those previous studies were completed. All this activity is bound to benefit consultants and attorneys more than anyone else.

Parking requirements should remain a local issue and reflect community conditions. A state law that attempts to aggressively micromanage local parking ordinances is bound to cause unintended consequences, including increasing future community opposition to density. Moreover, imposing inconvenient policies on lower income populations, while the affluent retain their options, appears inequitable.

For the above reasons, we respectfully request your Veto of AB 744. If you have any questions, or if I can be of any assistance, please call me at (916) 658-8222.

Sincerely,



Daniel Carrigg
Legislative Director

Cc: Honorable Assembly Member Ed Chau
Graciela Castillo-Krings, Deputy Legislative Secretary, Office of Governor Brown