

CONSENT CALENDAR

DATE: 04/20/2021

To: Honorable Mayor and Members of the City Council

From: Councilmember Terry Taplin (Author), Councilmember Kesarwani (Co-Sponsor)

Subject: Support for AB 1401: parking reform

RECOMMENDATION

Send a letter to Assemblymember Laura Friedman, State Senator Nancy Skinner, and Assemblymember Buffy Wicks in support of Assembly Bill 1401, which would eliminate parking requirements for housing and commercial buildings near transit and in low-VMT areas.

BACKGROUND

On February 19, 2021, Assemblymember Laura Friedman (D-Glendale), Chair of the Assembly's Transportation Committee, introduced Assembly Bill 1401¹ which will eliminate requirements that homes and commercial buildings near transit or in neighborhoods with less car use be built with more parking than is necessary.

In a statement, Assemblymember Friedman said: "It's seems that for years we've been trading housing for parking. We're in the midst of a housing crisis, desperately looking for a solution, and we need to consider all options to reduce the overall cost of housing. There are plenty of communities in our state that have access to high-quality transit, or where cars are underutilized, that need housing far more than they need parking."

A study by TransForm of 80 multi-family residential buildings around the San Francisco Bay Area, found over 28% of parking spaces, or over 1 million square feet, were unused.² A similar study published by the Transportation Research Board found that 45% of spaces in 13 shopping centers near Santa Clara County's Valley Transportation

¹ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB1401

² Cohen, S. (2015). AB 744's Paradigm Shift: Affordable Homes Instead of Empty Parking Spaces. *TransForm*. Retrieved from <https://www.transformca.org/transform-blog-post/ab-744s-paradigm-shift-affordable-homes-instead-empty-parking-spaces>

Authority Light Rail stations were unused, during both the holiday shopping season and the off-season.³ A study by the City of San Diego of 21 affordable housing developments found that 39% of the parking, or over 400 spaces at a cost of between \$12 million and \$30 million, were unused.⁴ An analysis of 252 California cities found that “each additional parking restriction imposed by cities is associated with a 1.6 percentage point reduction in the share of workers who reside in the city.”⁵

A study of parking reform in Seattle found that developers built 40% fewer parking spaces than previous regulations would have required, saving over \$500 million on hard construction costs, but 70% of new housing projects studied still provided some parking.⁶

California has instituted some incremental reforms to parking mandates. AB 744 (2015) limits local parking requirements to 0.5 spaces per bedroom for housing near transit that uses the state density bonus program or is 100% affordable to lower-income households. Projects that are streamlined under SB 35 (2017) are exempt from parking requirements if the project is near transit or within a historic district, and may not be required to provide more than one space per housing unit in all other areas.

RATIONALE FOR RECOMMENDATION

On March 19, 2021, Ordinance 7,751-N.S. became effective in Berkeley after being adopted by the City Council, eliminating minimum residential parking requirements across all zoning districts (except in the ES-R district, and except in the Hillside Overlay district on roads less than 26 feet in width) and requiring Transportation Demand Management (TDM) measures for projects with ten or more units. The City Council passed this ordinance in response to the oversupply of parking, the need to reduce Vehicle Miles Traveled (VMT) per capita, and the shortage of housing. California’s housing shortage is a crisis of statewide importance, and these evidence-based reforms should be followed on that scale.

ENVIRONMENTAL IMPACTS

According to the California Air Resources Board, the state must achieve a 25% reduction in Vehicle Miles Traveled (VMT) per capita, even under the best-case

³ Smith, A. (2013). Parking Utilization in Neighborhood Shopping Centers on Transit Routes in San Jose, California: Are Minimum Parking Requirements Too High? *Transportation Research Record: Journal of the Transportation Research Board*. <https://doi.org/10.3141/2359-04>

⁴ WilburSmith Associates. (2011). San Diego Affordable Housing Parking Study. *City of San Diego*. Retrieved from <https://www.sandiego.gov/sites/default/files/legacy/planning/programs/transportation/mobility/pdf/111231sdafhfinal.pdf>

⁵ Durst, N. J. (2021). Residential Land Use Regulation and the Spatial Mismatch between Housing and Employment Opportunities in California Cities. *Terner Center for Housing Innovation*. Retrieved from <http://californialanduse.org/download/Durst%20Residential%20Land%20Use%20Regulation%202020.pdf>

⁶ Gabbe, C. J. et al. (2020). Parking policy: The effects of residential minimum parking requirements in Seattle. *Land Use Policy* (91). Retrieved from <https://www.sciencedirect.com/science/article/abs/pii/S0264837718312870?via%3Dihub>

scenario of Zero-Emission Vehicle (ZEV) adoption.⁷ Reducing the excess supply of parking to produce more housing near transit will reduce VMT per capita. This strategy is already outlined in Berkeley's Climate Action Plan, but VMT reduction is a critical statewide policy goal.

FISCAL IMPACTS

None.

CONTACT

Councilmember Terry Taplin, District 2, 510-981-7120

ATTACHMENTS/SUPPORTING MATERIALS

1. Letter of Support

⁷ California Air Resources Board. (2018). 2018 Progress Report. Retrieved from https://ww2.arb.ca.gov/sites/default/files/2018-11/Final2018Report_SB150_112618_02_Report.pdf

The Honorable Laura Friedman
California State Assembly
State Capitol
Sacramento CA 95814

RE: City of Berkeley's support for Assembly Bill 1401

Assemblymember Friedman:

The City Council of the City of Berkeley hereby conveys its strong support for your Assembly Bill 1401 to eliminate local minimum parking requirements for both residential and commercial buildings.

On March 19, 2021, a parking reform ordinance (Ordinance 7,751-N.S.) became effective in Berkeley after being adopted by the City Council, eliminating minimum residential parking requirements across all zoning districts (except in the ES-R district, and except in the Hillside Overlay district on roads less than 26 feet in width) and requiring Transportation Demand Management (TDM) measures for projects with ten or more units. The City Council is proud of its effort to reduce transportation emissions in our city by reallocating square footage from underutilized automobile storage for more housing in walkable and transit-rich communities.

Similarly, AB 1401 will prevent the wasteful overproduction of parking spaces, and reduce car dependency and carbon emissions. In doing so, it will also encourage greater transit usage and more housing and businesses near transit, helping to revitalize walkable commercial corridors across the state. We encourage the state legislature to follow in Berkeley's footsteps by passing this important bill.

We thank you for your leadership in addressing climate change, and promoting sustainable transportation and housing affordability with this important legislation.

Signed,

Berkeley City Council

CC:

Senator Nancy Skinner

Assemblymember Buffy Wicks