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June 29, 2021

The Honorable Mark McGuire
California State Senate, 2nd District
State Capitol, Room 5061
Sacramento, CA 95814

RE: AB 1401 (Friedman) – OPPOSE

Dear Senator McGuire,

On behalf of the City of Cupertino, I write to oppose AB 1401 (Friedman), which would prohibit local governments from imposing minimum parking requirements or enforcing minimum parking requirements on commercial or residential developments located within a one-half mile walking distance of public transit.

While we see that the bill is intended to reduce car dependence, we believe that its provisions could work to allow developers to dictate minimum parking requirements based on faulty definitions of what constitutes public transit and would negatively impact the goals of the state's Density Bonus Law (DBL). The definition of "public transit" the measure uses to define areas wherein minimum parking requirements would be forgone includes entire bus corridors that do not feature major transit stops. Restricting minimum parking requirements in areas within a one-half mile of loosely defined forms of transit will not guarantee that residents or visitors will have access to sufficient parking or will utilize public transportation as an alternative.

Moreover, AB 1401 could negatively impact the purpose of the State's Density Bonus Law, which often allows for concessions to reduce parking requirements to be afforded to developers constructing affordable housing units. Eliminating parking requirements diminishes an important tool the state and municipalities have in incentivizing developers to produce below-market units for low- and moderate-income residents.

Establishing minimum parking requirements is a carefully considered process within a larger task local governments undertake when designing the layout of their jurisdictions. Establishing a "one-size-fits-all" approach to address something as varying as parking needs

does not take into account community needs or local input. This bill would shift discretionary power from local governments to public transit agencies and developers, who are not held accountable by local voters.

On this topic, focus your attention on the future. We need monetary support for forward-looking and effective public transit. The transit of the future is needed in order for our communities and the State to thrive. However, worsening our congestion without an effective plan for how to get people from place to place in, at the very least, a reasonable manner, is not only inadvisable, it also will not serve anyone's interests. Let us think of how to succeed.

Good transit infrastructure is critically necessary, but insufficient infrastructure cannot be the basis for rationalizing elements that will only serve to place more burdens upon it. If we put in the proper transit infrastructure, then our problems will be alleviated and our options plentiful. Failure to do so will lead to inevitable future gridlock and more finger-pointing. Know that you have partners in innovation and problem-solving who just as sincerely want to address our most intractable issues, and who will partner with you to address them effectively.

For these reasons, the City of Cupertino opposes AB 1401.

Sincerely,



Darcy Paul
Mayor
City of Cupertino

cc: Senator Dave Cortese
Assemblymember Evan Low
Assemblymember Marc Berman
Senate Governance and Finance Committee
Senator Mike McGuire (Chair)
Senator Jim Nielsen (Vice Chair)
Senator Maria Elena Durazo
Senator Bob Hertzberg
Senator Scott Wiener