



City of Culver City

Staff Report Details (With Text)

File #: 21-1003 **Version:** 1 **Name:** Position on AB 1401
Type: Minute Order **Status:** Action Item
File created: 5/12/2021 **In control:** City Council Meeting Agenda
On agenda: 5/24/2021 **Final action:**
Title: CC - (1) Discussion and Consideration of a Support Position for AB 1401 (Friedman) - Residential and Commercial Development: Parking Requirements; and (2) Direction to the City Manager as Deemed Appropriate.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 2021-05-24__ATT__AB 1401 (Friedman) Legislation.pdf, 2. 2021-05-24__ATT__AB 1401 (Friedman) Fact Sheet.pdf, 3. 2021-05-24__Public Resources Code_21155.pdf, 4. 2021-05-24__Public Resources Code_21064.3.pdf

Date	Ver.	Action By	Action	Result
5/24/2021	1	City Council Meeting Agenda		

CC - (1) Discussion and Consideration of a Support Position for AB 1401 (Friedman) - Residential and Commercial Development: Parking Requirements; and (2) Direction to the City Manager as Deemed Appropriate.

Meeting Date: May 24, 2021

Contact Person/Dept: Shelly Wolfberg/City Manager's Office
Phone Number: (310) 253-6000

Fiscal Impact: Yes No **General Fund:** Yes No

Public Hearing: **Action Item:** **Attachments:**

Commission Action Required: Yes No **Date:**

Public Notification: (E-Mail) Assemblymember Laura Friedman's Office and Meetings and Agendas - City Council (05/20/2021).

Department Approval: John M. Nachbar (05/19/2021)

RECOMMENDATION

Staff recommends the City Council (1) discuss and consider a support position for AB 1401 for residential and commercial development: parking requirements; and (2) provide direction to the City Manager as deemed appropriate.

BACKGROUND

At the May 10, 2021 City Council Meeting, Mayor Fisch received consensus to agendaize a City Council item to consider supporting AB 1401 (Friedman) (Attachment 1) to be brought back for approval at a future City Council meeting. Assemblymember Friedman's staff has provided the Author's Fact Sheet. (Attachment 2)

About AB 1401

Current Law

The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for its physical development, and the development of certain lands outside its boundaries, that includes, among other mandatory elements, a land use element, and a conservation element. Existing law also permits variances to be granted from the parking requirements of a zoning ordinance for nonresidential development if the variance will be an incentive to the development and the variance will facilitate access to the development by patrons of public transit facilities.

AB 1401 - Amends the Law

SECTION 1. Section 65863.3 is added to the Government Code, to read:

65863.3. (a) A local government shall not impose a minimum automobile parking requirement, or enforce a minimum automobile parking requirement, on residential, commercial, or other development if the parcel is located within one-half mile walking distance of public transit.

(b) When a project provides parking voluntarily, nothing in this section shall preclude a local government from imposing requirements on that voluntary parking to require spaces for car share vehicles.

(c) Subdivision (a) shall not reduce, eliminate, or preclude the enforcement of any requirement imposed on a new multifamily residential or nonresidential development to provide electric vehicle parking spaces or parking spaces that are accessible to persons with disabilities that would have otherwise applied to the development if this section did not apply.

(d) For purposes of this section, "public transit" means either of the following:

- (1) A high-quality transit corridor as defined in subdivision (b) of Section 21155 of the Public Resources Code. (Attachment 3)
- (2) A major transit stop as defined in Section 21064.3 of the Public Resources Code. (Attachment 4)

(e) The Legislature finds and declares that this section addresses a matter of statewide concern rather than a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this section applies to all cities, including charter cities.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

As of April 27, 2021, several entities have taken positions on AB 1409, based on the bill's text dated April 19, 2021.

DISCUSSION

The City Council is requested to discuss and consider whether it wants to support AB 1401 as it is currently written. The City's Legislative and Policy Platform (LPP) does not provide clear direction to either support or oppose what is recommended in AB 1401. However, among other positions in the LPP, the LPP supports efforts to (1) protect and/or expand the City's authority and rights over its affairs; and (2) adopt reasonable environmental regulations aimed at enhancing air and water quality.

Staff requires City Council direction in order to take a position on AB 1401. If the City Council takes a position on this bill, staff will transmit the position letter to the bill's author and appropriate committee members. Staff will monitor any future amendments to AB 1401 to determine whether they are consistent with the City Council's direction to continue to submit position letters.

FISCAL ANALYSIS

Discussion and direction regarding this matter does not create a fiscal impact to the City.

ATTACHMENTS

1. 2021-05-24__ATT__AB 1401 (Friedman) Legislation
2. 2021-05-24__ATT__AB 1401 (Friedman) Fact Sheet
3. 2021-05-24__ATT__ Public Resources Code, Section 21155
4. 2021-05-24__ATT__ Public Resources Code, Section 21064.3

MOTION

That the City Council:

1. Discuss and consider a support position for AB 1401; and
2. Provide direction to the City Manager as deemed appropriate.