



**California Rural
Legal Assistance
Foundation**



**PUBLIC INTEREST
LAW PROJECT**



**WESTERN CENTER
ON LAW & POVERTY**

August 22, 2022

The Honorable Laura Friedman
California State Assembly
Capitol Office, 1021 O Street, Suite 6310
Sacramento, CA 94249

RE: AB 2097 (Friedman) – Oppose Unless Amended

Dear Assemblymember Friedman:

Unfortunately, despite recent changes, our organizations must regretfully remain opposed to AB 2097 unless amended to ensure that housing projects include affordable units to be relieved of providing parking. When AB 2097 passed the Assembly as well as Senate policy committees, it required that housing development projects of 40 or more units include affordable units in exchange for being relieved of complying with minimum parking standard. We continue to believe that the 40-unit threshold is too high and that parking reductions should be handled through state Density Bonus Law. However, rather than addressing these concerns, the most recent amendments to the bill strip affordability requirements altogether, regardless of project size. This is a significant step backwards that undermines both state Density Bonus Law and Los Angeles' highly successful Transit-Oriented Communities program.

State Density Bonus Law has long served as the mechanism for ensuring that statewide zoning overrides adequately capture the value they create by requiring projects that receive benefits to include critically needed affordable housing. Achieving state climate goals requires a transition away from auto-dependent development, but there is no reason this cannot be done in a way that embraces equity and inclusion and centers the needs of the low-income communities and communities of color that are most dependent on transit. Density Bonus Law already ensures that 100% affordable housing projects near transit are relieved of including any parking requirements, other than parking needed to serve people with disabilities, and that market-rate projects that include sufficient affordable units can only be subject to very minimal parking requirements.

We support aligning transportation, environmental, and land use policy to allow communities to take full advantage of public transit, rely less on greenhouse gas emitting cars, and provide greater opportunities for walking and biking. We also agree that excessive parking requirements must be addressed, as many larger cities in California have already done in recent years. However, we must balance these important policy objectives with the state's equally important goal of increasing the availability of affordable housing, especially around transit. As the state overrides local planning and zoning rules in a way that creates financial benefits to developers of market-rate housing, there must be a consistent state policy of capturing a portion of that value to produce a win-win by also increasing housing affordable to the lowest-income households.

As organizations committed to racial and economic justice, we believe there is a way to accomplish AB 2097's goals without forgoing an opportunity to increase affordability.

Unfortunately, as recently amended, the bill is now even further away from achieving that goal. For these reasons we must continue to oppose AB 2097 unless amended to restore the required contribution of affordable units and ensure that it applies to all projects of 20 units or more through Density Bonus Law.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brian Augusta".

Brian Augusta
Legislative Advocate
California Rural Legal Assistance Foundation

A handwritten signature in blue ink, appearing to read "Cynthia Castillo".

Cynthia Castillo
Policy Advocate
Western Center on Law and Poverty

A handwritten signature in blue ink, appearing to read "Anya J. Lawler".

Anya Lawler
Legislative Advocate
Public Interest Law Project