



1 North San Antonio Road  
Los Altos, California 94022-3087

April XX, 2022

**Re: Assembly Bill 2097 (Friedman): Residential and Commercial Development.  
Parking Requirements. OPPOSE**

Dear Assembly Member Friedman:

The City of Los Altos joins the League of California Cities (Cal Cities) in respectfully opposing your measure Assembly Bill 2097, which would prohibit a local government from imposing or enforcing a minimum automobile parking requirement on residential, commercial, or other developments, without regard to the development size, if the development is located on a parcel within one-half mile of public transit.

AB 2097 would essentially allow developers to dictate parking requirements in large areas of many cities because the definition of public transit includes entire bus routes with fifteen-minute service intervals. Restricting parking requirements within one-half mile of a high-frequency transit route does not guarantee individuals living, working, or shopping on those parcels will actually use transit. Many residents will continue to own automobiles and require nearby parking, which will only increase parking demand, displace parking to adjacent neighborhoods, and increase congestion.

AB 2097 would give both developers and transit agencies, who are unaccountable to local voters, the power to determine parking requirements. Transit agencies would be able to dramatically alter local parking standards by shifting transit routes and adjusting service intervals.

Additionally, AB 2097 could negatively impact the State's Density Bonus Law by providing developers parking concessions without also requiring developers to include affordable housing units in the project. The purpose of the Density Bonus Law is to provide concessions and waivers to developers in exchange for affordable housing units.

While AB 2097 may be well intended, parking requirements are most appropriately established at the local level based on community needs. A one-size fits all approach to an issue that is project specific just does not work. For these reasons, the City of Los Altos opposes AB 2097.



April 13, 2022

The Honorable Laura Friedman  
California State Assembly  
1021 O Street, Suite 6310  
Sacramento, CA 95814

RE: **AB 2097 (Friedman) Residential and Commercial Development. Parking Requirements.  
Notice of Opposition (As Introduced)**

Dear Assembly Member Friedman:

The League of California Cities (Cal Cities) must respectfully oppose your measure AB 2097, which would prohibit a local government from imposing or enforcing a minimum automobile parking requirement on residential, commercial, or other developments, without regard to the development size, if the development is located on a parcel within one-half mile of public transit.

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Additionally, AB 2097 could negatively impact the State's Density Bonus Law by providing developers parking concessions without also requiring developers to include affordable housing units in the project. The purpose of Density Bonus Law is to provide concessions and waivers to developers in exchange for affordable housing units.

While AB 2097 may be well intended, parking requirements are most appropriately established at the local level based on community needs. A one-size fits all approach to an issue that is project specific just does not work. For these reasons,



Cal Cities opposes AB 2097. If you have any questions, please contact me at (916) 658-8264.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Rhine".

Jason Rhine  
Assistant Director, Legislative Affairs

Cc: Members, Assembly Committee on Local Government  
Hank Brady, Consultant, Assembly Committee on Local Government  
William Weber, Consultant, Assembly Republican Caucus



1 North San Antonio Road  
Los Altos, California 94022-3087

April XX, 2022

**Senate Bill 897 (Wieckowski): Accessory dwelling units: junior accessory dwelling units. OPPOSE**

Dear Senator Wieckowski:

The City of Los Altos joins the League of California Cities (Cal Cities) in regrettably taking an “oppose” position on your Senate Bill 897, which would significantly amend the statewide standards that apply to locally adopted ordinances concerning the construction of accessory dwelling units (ADUs), even though the law has been substantially amended nearly every year since 2016.

Specifically, SB 897 would require local jurisdictions to:

- **Allow ADUs to be constructed with a height of up to 25 feet.** Current law appropriately authorizes cities and counties to restrict ADU height to 16 feet, thus helping ensure that these accessory units blend into the existing neighborhood. Mandating that local jurisdictions allow essentially two-story ADUs, even if limited to residential neighborhoods near transit, is completely contrary to the stated belief that ADUs are a way to increase density in a modest fashion that is not disruptive to established communities. Shoehorning a 25-foot structure into a backyard of a single-story ranch style home calls to question the idea that these are “accessory dwelling units.”

- **Permit constructed ADUs in violation of State building standards and in violation of local zoning requirements.** Current law already requires cities and counties to approve ADUs ministerially, without discretionary review. Expanding this to prohibit local jurisdictions from denying permits for already constructed ADUs that fail to comply with State mandated building standards or local zoning requirements could result in dangerous or substandard living conditions.

- **Allow two ADUs to be constructed on a lot if a multifamily dwelling is proposed to be developed.** SB 897 would allow a property owner to construct two ADUs on a vacant parcel years before the proposed multifamily structure begins construction. Additionally, there is no guarantee that the multifamily structure will ever be constructed. It is unclear why local jurisdictions should be forced to allow ADUs to be constructed before the originally proposed multifamily structure. Constructing an ADU without a primary structure makes them accessory to nothing, but rather a standalone unit.

For these reasons, the City of Los Altos opposes SB 897.



March 31, 2022

The Honorable Bob Wieckowski  
Member, California State Senate  
1021 O Street, Room 6530  
Sacramento, CA 95814

RE: **Senate Bill 897 (Wieckowski) Accessory Dwelling Units**  
**Notice of Opposition** *(As Amended 3/14/22)*

Dear Senator Wieckowski:

The League of California Cities (Cal Cities), California State Association of Counties (CSAC), Urban Counties of California (UCC), and the Rural County Representatives of California (RCRC) must respectfully **oppose SB 897**, which would significantly amend the statewide standards that apply to locally adopted ordinances concerning the construction of accessory dwelling units (ADUs), even though the law has been substantially amended nearly every year since 2016.

Specifically, SB 897 would require local jurisdictions to:

- **Allow ADUs to be constructed with a height of up to 25 feet.** Current law appropriately authorizes cities and counties to restrict ADU height to 16 feet, thus helping ensure that these accessory units blend into the existing neighborhood. Mandating that local jurisdictions allow essentially two-story ADUs is completely contrary to the stated belief that ADUs are a way to increase density in a modest fashion that is not disruptive to established communities. Shoehorning a 25-foot structure into a backyard of a single-story ranch style home calls to question the idea that these are “accessory dwelling units.”
- **Permit constructed ADUs in violation of State building standards and in violation of local zoning requirements.** Current law already requires cities and counties to approve ADUs ministerially, without discretionary review. Expanding this to prohibit local jurisdictions from denying permits for already constructed ADUs that fail to comply with State mandated building standards or local zoning requirements could result in dangerous or substandard living conditions.

- **Allow two ADUs to be constructed on a lot if a multifamily dwelling is proposed to be developed.** SB 897 would allow a property owner to construct two ADUs on a vacant parcel years before the proposed multifamily structure begins construction. Additionally, there is no guarantee that the multifamily structure will ever be constructed. It is unclear why local jurisdictions should be forced to allow ADUs to be constructed before the originally proposed multifamily structure. Constructing an ADU without a primary structure makes them accessory to nothing, but rather a standalone unit.

For these reasons, Cal Cities, CSAC, UCC, and RCRC oppose SB 987. If you have any questions, please feel free to contact Jason Rhine (Cal Cities) at [jrhine@calcities.org](mailto:jrhine@calcities.org), Chris Lee (CSAC) at [clee@counties.org](mailto:clee@counties.org), Kiana Valentine (UCC) at [kiana@politicogroup.com](mailto:kiana@politicogroup.com), or Tracy Rhine (RCRC) at [Trhine@rcrcnet.org](mailto:Trhine@rcrcnet.org).

Sincerely,



Jason Rhine  
Cal Cities



Christopher Lee  
CSAC



Kiana Valentine  
UCC



Tracy Rhine  
RCRC

cc. Members, Senate Committee on Governance and Finance  
Anton Favorini-Csorba, Consultant, Senate Committee on  
Governance and Finance  
Ryan Eisberg, Policy Consultant, Senate Republican Caucus



1 North San Antonio Road  
Los Altos, California 94022-3087

April XX, 2022

**Senate Bill 932 (Portantino): General plans, circulation element  
OPPOSE UNLESS AMENDED**

Dear Senator Portantino:

The City of Los Altos joins the League of California Cities (Cal Cities) in regrettably taking an “oppose unless amended” position on your Senate Bill 932. SB 932 would make significant, unprecedented, and overly prescriptive changes to the requirements of the circulation element of local general plans; impose costly, unfunded mandates for physical changes to local transportation infrastructure; and expose local governments to significant legal liability.

The City of Los Altos has taken a pro-active approach to meeting the important goals of this bill: to make streets and roads safer for all users. We have partnered with the County of Santa Clara in designing new bike paths along the section of Foothill Expressway that transects the city of Los Altos and integrated those new paths with local streets. This required considerable interagency coordination, but the result is a significant improvement in safe, shared use. In another project, we partnered with the County and with the City of Cupertino to design comprehensive pedestrian and bicycle paths to schools that cross all three jurisdictions. These are the types of critical projects that require flexibility and quick response to the opportunities to work across multiple jurisdictions to improve bicycle and pedestrian safety. They cannot be achieved through a top-down approach that dictates the type of improvements and timing for implementation when multiple jurisdictions are involved.

Most recently we completed a new Complete Streets Master Plan that codifies the integration of improved bicycle/pedestrian paths and safety with routine street maintenance and sets out a long-term plan for making our streets more available to and safer for all users. Unfortunately, the plan will require funding of at least \$44Million (today’s dollars). Much of the plan remains unfunded, despite planned use of SB 1, Block Grants, fuel tax, and other revenue sources. The requirements of SB 932 are likely even to exceed the ambitious plan we have just developed.

We note that cities that have made safety a priority and that have virtually no fatalities would be penalized under 65302(b)(2)(ii)(III) because the already excellent safety record would not allow for the reductions that are needed to be granted a 10-year extension of

time to implement the provisions of SB 932. This is probably unintended and could perhaps be corrected through amendment.

Our city faces significant tradeoffs in prioritizing competing needs for roadway maintenance and improvements. The loss of employees during COVID, escalating costs for materials, and problems with supply chains are all impediments to be overcome. In addition, we need to consider the impact on our business community and the steps we need to take to help them recover and to mitigate changes to infrastructure on their operations. The circulation element must continue to provide flexibility as to the type of transportation improvements warranted in specific contexts, and any timelines for implementation must be developed in consideration of realistically available financial resources. We note that there is significant pressure from the legislature for local agencies to reduce, eliminate or defer development impact fees, which are among the few sources of revenue the small cities need to implement the provisions of this bill.

Finally, SB 932 creates significant new legal liability for local jurisdictions in Santa Clara County that fail to meet the bill's arbitrary implementation timeframes. In addition to the funding constraints and issues discussed above, the new private right of action created by SB 932 will be counter-productive to making progress on improving our local streets. Simply put, every additional dollar that goes toward defending against litigation is one fewer dollar available for improving our local streets and roads. Section 65302(b)(2)B(iii) must be removed from the bill for our city to remove opposition to SB 932.

We hope you will continue to work with the League of California Cities and others on amendments that will allow us to remove our position of "oppose unless amended."





American Planning Association  
**California Chapter**

*Creating Great Communities*



March 11, 2022

The Honorable Anthony Portantino  
Member, California State Senate  
1021 O Street, Suite 7630  
Sacramento, CA 95814

**RE: Senate Bill 932 (Portantino): General plans: circulation element  
As introduced February 7, 2022 – OPPOSE UNLESS AMENDED  
Set for hearing in Senate Governance and Finance March 17, 2022**

Dear Senator Portantino:

The California State Association of Counties (CSAC), the League of California Cities (Cal Cities), the Urban Counties of California (UCC), the California Chapter of the American Planning Association (APA California), and the Rural County Representatives of California (RCRC) have regrettably taken an oppose unless amended position on your Senate Bill 932. SB 932 would make significant, unprecedented, and overly prescriptive changes to the requirements of the circulation element of local general plans; impose costly, unfunded mandates for physical changes to local transportation infrastructure; and expose local governments to significant legal liability.

Local agencies support active transportation projects and have been leading the charge to improve local streets and roads, while also retrofitting them to improve safety for all roadway users. According to the California Transportation Commission, during just the first two and a half fiscal years when SB 1 (Beall, 2017) funds were available, cities and counties reported spending \$1.5 billion to complete over 3,100 projects, with another 1,300 plus projects in progress. In addition to repairing 10,000 miles of local roads, local governments also installed or improved 4,700 Americans with Disabilities Act curb ramps and over 1,223 miles of bicycle lanes. These vital multi-modal projects were delivered through maintenance funding from the Road Maintenance and Rehabilitation Account. These statistics do not include additional local government pedestrian and bicycle safety projects or complete streets projects funded with dedicated federal Highway Safety Improvement Program funds or Active Transportation Program grants; nor do they include any regionally funded projects from the Surface Transportation Block Grant Program, or projects funded with Highway User Tax Account funds or local funds.

We recognize that despite this significant progress at the local level, there remains a significant funding gap for projects needed to make local streets and roads safer for all users. Unfortunately, SB 932 fails to

consider local funding constraints, instead taking a top-down approach that dictates both the type of improvements required as well as the timing for implementing such improvements. California's 2020 Statewide Local Streets and Roads Needs Assessment ("Needs Assessment") identified a significant funding gap for simply *maintaining* existing local streets and roads (\$37.6 billion in unfunded needs over the next decade), and existing essential safety and traffic components such as curb ramps, sidewalks, storm drains, streetlights, and signals (\$22.1 billion in unfunded needs over the next decade). The time horizons in SB 932 do not account for these existing funding gaps, much less the additional capital costs of the improvements the bill requires. For example, Stanislaus County and its cities project a \$234 million cost for build-out of the Stanislaus County Association of Governments Non-Motorized Transportation Plan, which, given its use of class-II and -III bicycle facilities in some areas, would likely not meet the criteria imposed by SB 932.

The specific improvements required by SB 932 are much costlier than solutions local agencies may have already planned and may not be warranted in every context where SB 932 would apply. For instance, the Needs Assessment identified an incredibly wide range of costs for complete streets improvements, ranging from as low as \$18/square yard for simple treatments, like painted class-II bike lanes, to as high as \$726/square yard for a complete streets project that widened sidewalks, added curb ramps and bike lanes, and improved medians. The same trend is apparent in regional plans for non-motorized transportation, with the class-I and -IV bicycle facilities mandated by SB 932 costing approximately 2.5 times more than class-II bike lanes.

Local agencies face significant tradeoffs in prioritizing competing needs for roadway maintenance and improvements across their jurisdictions. The circulation element must continue to provide flexibility as to the type of transportation improvements warranted in specific contexts (rural vs. urban and various types of streets and roads) and any timelines for implementation must be developed in consideration of realistically available financial resources. We note that despite significant pressure from the legislature on local agencies to reduce, eliminate, or defer development impact fees, those fees are one of the few sources of revenue that local agencies could quickly increase to implement the provisions of this bill, although with the significant tradeoff of immediately increasing housing development costs.

Finally, SB 932 creates significant new legal liability for local jurisdictions that fail to meet the bill's arbitrary implementation timeframes. In addition to the funding constraints and practical issues discussed above, the new private right of action created by SB 932 will be counter-productive to making progress on improving our local streets. Simply put, every additional dollar that goes toward defending against litigation is one fewer dollar available for improving our local streets and roads. Section 65302(b)(2)(B)(iv) must be removed from the bill for our groups to remove opposition to SB 932.

Our organizations appreciate your openness to addressing most of the aforementioned issues. We are willing to work with you on amendments that refocus the bill on incorporating a safe systems approach in the circulation element with an increased focus on implementation but have taken an "oppose unless amended" position based on our significant concerns. If you need additional information about our position on SB 932, please contact Chris Lee (CSAC) at [clee@counties.org](mailto:clee@counties.org), Kiana Valentine (UCC) at [kiana@politicogroup.com](mailto:kiana@politicogroup.com), Lauren de Valencia y Sanchez (APA California) at [lauren@stefangeorge.com](mailto:lauren@stefangeorge.com), Jason Rhine (Cal Cities) at [jrhine@cacities.org](mailto:jrhine@cacities.org), or Tracy Rhine (RCRC) at [trhine@rcrcnet.org](mailto:trhine@rcrcnet.org).

Sincerely,



Christopher Lee  
CSAC



Kiana Valentine  
UCC



Damon Conklin  
Cal Cities



Eric Phillips  
APA California



Tracy Rhine  
RCRC

cc: The Honorable Anna Caballero, Chair, Senate Governance and Finance Committee  
Honorable Members, Senate Governance and Finance Committee  
Anton Favorini-Csorba, Consultant, Senate Governance and Finance Committee  
Ryan Eisberg, Senate Republican Caucus



P.O. Box 3144  
Los Altos, CA 94024  
www.citiesassociation.org  
408-766-9534

Campbell April 20, 2022

Cupertino The Honorable Cecilia M. Aguiar-Curry, Chair  
Local Government Committee  
1020 N Street, Room 157  
Sacramento, CA 95814

Gilroy RE: AB 1944 (Lee): Brown Act Modernization

Los Altos Dear Chair Aguiar-Curry,

Los Altos Hills On Thursday, April 14th, the Cities Association of Santa Clara County Board of Directors, at the recommendation of the Legislative Action Committee (LAC), voted to Support Assembly Bill 1944, with a proposed amendment. AB 1944 aims to modernize the Brown Act by giving local legislative bodies the option to waive the requirement that its members appearing virtually from a remote location need to publish their private address on the public meeting agenda. AB 1944 also requires a remote participation option for members of the public to address the body.

Los Gatos

Milpitas

Monte Sereno During the last couple of years of the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20 that allowed local agencies to appear remotely without having to disclose their private addresses. In 2021, Assemblymember Rivas's Bill 361 further allowed local agencies to continue to meet virtually during a state-declared emergency without having to meet the quorum and other requirements of teleconference meetings under the Brown Act. Our city councils have taken advantage of AB 361 and continue to meet virtually, some using a hybrid format.


Morgan Hill


Mountain View The Cities Association, however, recommends that AB 1944 be amended to require local legislative bodies, which opt to waive the requirement, have its members appearing virtually from a remote location provide the legislative body with the address of the remote location. The legislative body would not make the address public. The reasons for this amendment are to ensure members appearing virtually from a remote location are participating within the jurisdiction, avoiding any potential abuse of the flexibility that AB 1944 provides, and to make it easier to enforce compliance with the Brown Act quorum requirement. Therefore, the Cities Association supports AB 1944 with that amendment.

Palo Alto

San José

Santa Clara Sincerely,

Saratoga 

Sunnyvale 

Chappie Jones  
President, Cities Association of Santa Clara  
Vice Mayor, City of San Jose

Neysa Fligor  
Chair, CASCC Legislative Action Committee  
Councilmember, City of Los Altos

CC: Assemblymember Alex Lee  
Vice Chair James Gallagher  
Assemblymember Marc Berman  
Assemblymember Laurie Davies  
Assemblymember Chris Holden  
Assemblymember Ash Kalra  
Assemblymember Kevin Kiley  
Assemblymember Brian Maienschein  
Assemblymember Eloise Gomez Reyes  
Assemblymember Robert Rivas  
State Senator Josh Becker  
State Senator Dave Cortese  
Cities Association of Santa Clara County Board of Directors



P.O. Box 3144  
Los Altos, CA 94024  
www.citiesassociation.org  
408-766-9534

Campbell April 20, 2022

Cupertino The Honorable Chris Holden, Chair  
Assembly Appropriations Committee  
1021 O Street, Room 8220  
Sacramento, CA 95814

Gilroy RE: AB 2164 (Lee): Disability Access Funding

Los Altos Dear Chair Stone,

Los Altos Hills On Thursday, April 14th, the Cities Association of Santa Clara County Board of Directors, at the recommendation of the Legislative Action Committee (LAC), voted to Support Assembly Bill 2164, which will allow local jurisdictions to continue programs ensuring that Californians with disabilities have barrier-free access to businesses.

Los Gatos For Californians with disabilities, barrier-free access to businesses and other facilities is a constant concern. Federal, state, and local governments provide some resources to help businesses comply with these accessibility requirements and reduce barriers for patrons with disabilities. State law also requires local jurisdictions to collect a dedicated fee of \$4.00 for business licenses and business permit renewals to fund programs improving barrier-free access to businesses (Cal. Gov. Code §§ 4465- 4470). Under current law, this fee will drop to \$1.00 after December 31, 2023.

Milpitas

Monte Sereno

Morgan Hill Many small businesses in our county find the complex requirements challenging, especially if they have limited English proficiency and limited financial resources. Many of our businesses are also in older spaces built before the Americans with Disabilities Act (ADA) was passed into law. These business owners are now subject to frivolous claims or litigation. We, as elected officials, see this legislation as a way to assist these businesses and continue to fund accessibility related certification, design, construction, and permitting fees so they are accessible and compliant with the law. Therefore, along with several Santa Clara County Chambers of Commerce, the Cities Association of Santa Clara County supports AB 2164.

Mountain View

Palo Alto

San José Sincerely,

Santa Clara

Chappie Jones  
President, Cities Association of Santa Clara  
Vice Mayor, City of San Jose

Neysa Fligor  
Chair, CASCC Legislative Action Committee  
Councilmember, City of Los Altos

Saratoga

Sunnyvale

CC: Assemblymember Alex Lee  
Vice Chair Frank Bigelow  
Assemblymember Isaac G. Bryan  
Assemblymember Lisa Calderon  
Assemblymember Wendy Carillo  
Assemblymember Megan Dahle  
Assemblymember Laurie Davies  
Assemblymember Mike Fong  
Assemblymember Vince Fong  
Assemblymember Jesse Gabriel  
Assemblymember Eduardo Garcia  
Assemblymember Marc Levine  
Assemblymember Bill Quirk  
Assemblymember Robert Rivas  
Assemblymember Akilah Weber, MD  
State Senator Josh Becker  
State Senator Dave Cortese  
Cities Association of Santa Clara County Board of Directors